

**Formal Complaint to the Washington State Public Disclosure Commission
Relating to an Elected Official or Candidate for Public Office**

Name of Official or Candidate: JOHN LADENBURG PIERCE CO. EXECUTIVE

Address of Official or Candidate: 930 TACOMA AVE. S. ROOM 737

Official's or Candidate's TACOMA WA 98402
City State Zip Code

Official's or Candidate's Telephone: 253 798-7477
(Include Area Code)

Official's or Candidate's E-Mail Address: _____
(If known)

RECEIVED

NOV 04 2003

Public Disclosure Commission

Your signature: David L Franta

Your printed name: DAVID L FRANTA

Street address: 13622 ROCKY CREEK RD

City, state and zip code: Gig Harbor, WA 98329

Telephone number: 253 884-9902

E-Mail Address: (Optional) DFRANTA@AOL.COM

Date Signed: 11/3/03

Place Signed (City and County): Gig Harbor Pierce
City County

Complaint: (Attach Complaint and Certification)

*Mailings from the Pierce Co Executive
Office violated RCW 42.17.103 and
RCW 42.17.130*

**Certification for a
Complaint to the Washington State Public Disclosure Commission Relating to an
Elected Official or Candidate for Public Office
(Notary Not Required)**

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the facts set forth in this attached complaint are true and correct.

Your signature: David L. Franta

Your printed name: DAVID L. FRANTA

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City County

*RCW 9A.72.040 provides that: "(1) A person is guilty of false swearing if he makes a false statement, which he knows to be false, under an oath required or authorized by law. (2) False swearing is a misdemeanor."

COMPLAINT ATTACHED

RECEIVED

NOV 04 2003

Public Disclosure Commission

complaint:

The included mailings were mailed within 21 days of the election.

RECEIVED

NOV 04 2003

Public Disclosure Commi:

The mailings went to a selected group of voters, not to all eligible voters.

The mailings have a demonstrable pro proposition tone and include the phone number for the Yes on Prop. 1 telephone. Between the tone of the mailings and the reference to a biased group for additional information disqualify the mailings as informational.

This is not a legal use of public money.

Important Information about Your Taxes and Safety

Presorted Standard
U.S. Postage
PAID
Tacoma, WA
Permit Number 820

*Received
11/18/03
by [signature]*

PDC+
1-877-601-2828
JULY PARKER
JL 17130
PDC LTR
WWW.PDC.WA.GOV
GUIDE TO LAW

*****ECRLOT**R-002
289
DAVID & JANETTE FRANTA 59
*
13622 ROCKY CREEK RD N
GIG HARBOR WA 98329-5326

Why do Pierce County, Tacoma and other cities need more police officers, an improved court system and increased public safety?

- ✓ Pierce County ranks 38th out of 39 counties in the number of officers per citizens
- ✓ We have the highest violent crime rate in the state
- ✓ The most felony convictions
- ✓ The most sex offenders
- ✓ The second most auto thefts
- ✓ The most meth-manufacturing labs on the West Coast

On Tuesday, November 4th, residents will vote on Proposition 1, a measure to increase our sales tax by three-tenths of a percent.

What will Proposition 1 do?

- ★ Increase law enforcement and reduce response time by hiring more than 100 new county and city police officers
- ★ Provide prompt justice and accountability for offenders by increasing the numbers of judges, prosecuting attorneys and public defenders
- ★ Assure that offenders do not receive early release and the remaining areas of the new jail can be opened by hiring more corrections officers
- ★ Protect victims and keep young people out of jail by supporting domestic violence and juvenile crime prevention programs

What if Proposition 1 passes?

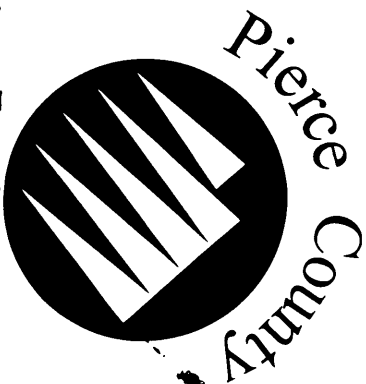
If approved, Proposition 1 will raise the sales tax by 3/10th of a percent. That will result in a 3¢ increase on a \$10 purchase. Food, medicine and automobiles will be excluded from the tax increase.

What if Proposition 1 fails?

Cities and the county will have the choice to do nothing, further reduce or eliminate other services to find funding, or resubmit the Proposition at a later date.

This information is provided by Pierce County to help inform voters about Proposition 1. Please call 253-798-3100 with questions or concerns.

voice mail for Prop 1



More Important Information about Proposition 1

*Received
10/1/04
11/1/04
11/1/04*

*****ECRLOT**R-002

289

DAVID & JANETTE FRANTA 59

*

13622 ROCKY CREEK RD N

GIG HARBOR WA 98329-5326

Proposition 1 must be used for public safety purposes only.

On Tuesday, November 4th, residents will vote on Proposition 1, a measure to increase our sales tax by three-tenths of a percent.

What will Proposition 1 do?

- ★ Hire 100 more police officers in the cities and the county to improve law enforcement.
- ★ Fund three new domestic violence centers to protect and assist victims and their children.
- ★ Save criminal costs by funding juvenile crime prevention programs that keep children out of jail.
- ★ Protect seniors from financial, physical and emotional abuse.
- ★ Hire 48 corrections officers to prevent the early release of prisoners and open the remaining areas of the new jail.
- ★ Provide prompt justice and accountability for offenders by increasing the number of judges, prosecuting attorneys and public defenders.

What will Proposition 1 cost?

Proposition 1 will increase the sales tax by three-tenths of a percent. That equals 3¢ on a \$10 purchase. Food, medicine and automobiles are exempt from the tax increase. Funds received from Proposition 1 can only be used for public safety purposes.

Why is Proposition 1 on the ballot?

- ✕ We have the highest violent crime rate in the state.
- ✕ The most felony convictions.
- ✕ The most meth-manufacturing labs.
- ✕ The most sex offenders.
- ✕ The most auto thefts.
- ✕ Pierce County ranks 38th out of 39 counties in the number of officers per citizens.

This information is provided by Pierce County to help inform voters about Proposition 1. Please call 253-798-3100 with questions or concerns.

Pierce County



RECEIVED

OCT 31 2003

Public Disclosure Commission

TO: Washington State Public Disclosure Commission.

FAX 1 360 753-1112

COMES NOW Dale Washam a Pierce County resident, with a formal complaint against the Pierce County Council and the Pierce County Executive allegeing as follows:

1. The Pierce County Council and or the Pierce County Executive approved or allowed the unlawful use of public funds to pay the \$40,000 plus, costs of drafting, printing and mailing of two political flyers in support of Proposition 1. Said flyers unlawfully targeted registered voters who had voted in three of the last four elections in Pierce County. Said action is a violation of RCW 42.17.130 and the spirit of RCW 42.17. as a whole.

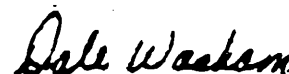
It must be noted for the record that both flyers went to the same Pierce County registered voters.

A copy of said second flyer is attached hereto. A copy of said first flyer was attached to a formal request dated 10-20-2003 to the Public Disclosure Commission to investigate allegations of violations of RCW 42.17. and said request is hereby incorporated herein.

I certify with penalty of perjury pursuant to the laws of the State of Washington, that the above and foregoing is true and accurate to the best of my knowledge.

Dated in Puyallup Washington on 10-31-2003.

Respectfully Submitted,
IN GOD I TRUST,



Dale Washam
P.O. BOX 73634
Puyallup, WA 98373
253 840-3567

RECEIVED
OCT 31 2003
Public Disclosure Commission

More Important Information about Proposition 1

*****ECRLOT-C-008
50

Proposition 1 must be used for public safety purposes only.

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This information is provided by Pierce County to help inform voters about Proposition 1. Please call 253-798-3100 with questions or concerns.



TO: Washington State Public Disclosure Commission.

FAX 1 360 753 1112

RE:

A. The use of public funds by Pierce County Officials to pay for the production thereof, and the mailing of a flyer supporting Proposition 1. A copy of said flyer attached hereto.

B. The use of of public funds by Pierce County Officials to promote Proposition 1 on the Pierce County government cable channel 22, KRCC. Attached hereto is a copy of The News Tribune Columnist Peter Callaghan's column dated 10-9-2003.

This is a formal request to the Public Disclosure Commission to investigate the above stated allegations of violations of RCW 42.17.

DATED this 20th day of October, 2003.

Respectfully Submitted,
IN GOD I TRUST.

Dale Washam

Dale Washam
P.O. BOX 73634
Puyallup, WA 98373
253 840-3567

THURSDAY | OCTOBER 9, 2003

**PETER CALLAGHAN**

County Council refuses to give tax opponents equal time

Pierce County wants viewers of its government cable channel, KRCC, to hear all about Proposition 1, the 0.3 percentage point sales tax hike for criminal justice programs.

But only as long as viewers want to hear how badly it's needed.

Using a tortured-but-convenient interpretation of a state law that bans the use of public resources for campaigning, the county has decided its public programming is "borderline" while opponents' is "illegal."

At least twice it has used the law to silence a tax opponent during council meetings that are broadcast on KRCC.

Here's what county resident Dale Washam said at a recent meeting that ended in a shouting match: "I am against the three-tenth percent sales tax increase."

Council member Dave Downing Washam to say he opposed the ballot measure at the council meeting was illegal because it used public facilities — the council chambers, the podium, the broadcast equipment that put the meeting on TV — for campaigning.

That's what I mean by tortured.

But isn't the council using these same facilities to promote the measure? Not according to lawyers advising the council. They say state rules allow government agencies to use facilities to make "an objective and fair presentation of facts relevant to a ballot proposition."

So when Councilwoman Barbara Gelman says at a meeting, "We're looking for a healthy community and the only way to get that is to fully fund the criminal justice system," that's an objective and fair presentation of facts and is legal.

But when Washam says at a meeting he is against the sales tax increase, that is illegal.

That's what I mean by convenient.

A spokesman for the state Public Disclosure Commission believes the county is overreaching.

"Where they take comments from the public, I don't see how that could be interpreted as use of public facilities for campaign purposes," said Doug Ellis, the PDC's director of public outreach.

Yet the county uses its interpretation to silence Washam while it continues to air a series of programs that are thinly disguised "Yes on Prop. 1" commercials. In addition to rebroadcasts of council meetings about the measure, the county's cable channel has these shows this month:

"County Council Connection. This month we take a look at the Criminal Justice tax proposal." And, "Pierce County Speaks. Councilman (Calvin) Goings talks with law enforcement individuals about the new tax proposal."

As long as no one uses terms like "vote for" or "I'm in favor of," they are legal, the county believes.

Ellis said he thinks the programming is "borderline."

"You can't do indirectly what the law says you can't do directly," he said. There are two other reasons why the county is on shaky legal ground when it stops Washam. First, the very section of law the county's lawyers are using to stop Washam is being challenged in the state Supreme Court, and the commission is not enforcing it until the court decides.

Second, even if the section is legal, it contains a clear exemption for statements made at open public meetings. That exemption allows elected officials to "support or oppose a ballot proposition" during meetings as long as the topic was included on the body's published agenda and other elected members or members of the public "are afforded an approximately equal opportunity for the expression of opposing viewpoints."

It is understandable that the council members want the tax to pass because they feel the county is in crisis. But if their arguments are as compelling as they believe they are, they should be able to withstand a little opposition.

Peter Callaghan: 253-597-8657
peter.callaghan@mail.tribnet.com

EXHIBIT #1

Page 12 of 15

930 Tacoma Avenue South • Tacoma, WA 98402

Important Information about Your Taxes and Safety

*****ECRILOT™-C-008

Presorted Standard
U.S. Postage
PAID
Tacoma, WA
Permit Number 820

Why do Pierce County, Tacoma and other cities need more police officers, an improved court system and increased public safety?

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Phil Stutzman

From: PDC
Sent: Tuesday, November 04, 2003 8:15 AM
To: Phil Stutzman
Subject: FW: Pierce County Proposition 1 Expenditures

-----Original Message-----

From: VealD@aol.com [mailto:VealD@aol.com]
Sent: Monday, November 03, 2003 7:07 PM
To: PDC
Subject: Pierce County Proposition 1 Expenditures

The Pierce County Executive expended in excess of \$27,000.00 of public money for a mailer mailed/targeted only to registered voters. Two post cards were mailed at different times and I am not sure if the \$27,000.00 price tag was for both mailings or just one.

I am aware that your commission is not making any rulings on such issues until further court rulings, however I would like to file a complaint with the commission for possible future action on the above matter.

Donald R. Veal
2714 4th St. NW
Gig Harbor, WA 98335
253-858-4866

11/4/2003

EXHIBIT #1
Page 15 of 15

PDC Interview of John Ladenburg
by Kurt Young

June 16, 2004

Tacoma, Washington

Tape 1, side A

YOUNG: This is the Public Disclosure Commission recorded statement of Pierce County Executive John Ladenburg in PDC Case #04-440, the time is now 4:05. The date is June 16, 2004. I am Kurt Young with the Public Disclosure Commission staff. Also present is Skip Stansberry, the executive's counsel and Ms. Constance Perry who will administer the oath. This statement is being recorded at the office of the Pierce County Executive, 930 Tacoma Avenue South, Suite #737. And at this time Ms. Perry will administer the oath.

PERRY: John Ladenburg, please raise your right hand. Do you promise the answers you are about to give will be the whole truth and nothing but the truth?

LADENBURG: Yes I do.

YOUNG: Thanks Ms. Perry.

PERRY: You're welcome.

YOUNG: And Mr. Ladenburg is it okay if I call you Mr. Ladenburg or is John?

LADENBURG: Either.

YOUNG: That works fine. For the record, can you state and spell your last name?

LADENBURG: Yeah I'm John W. Ladenburg Sr. and the last name is L-A-D-E-N-B-U-R-G.

YOUNG: And you know this statement's being recorded?

LADENBURG: Right.

YOUNG: And we're investigating a complaint, a couple of complaints we had had regarding Proposition One and some information that had been distributed from Pierce County in regards to that.

LADENBURG: Right.

YOUNG: Just for a little background, if you can maybe give a little background into, I'm familiar obviously with your career, but maybe you could for the record.

LADENBURG: Sure. I have been the Pierce County Executive for three years now. Prior to that I was the county Prosecuting Attorney for 14 years. And prior to that I was in private practice of law in Tacoma for 10 years and was also on the Tacoma City Council for 5 years. So I've been in government 20 some years.

YOUNG: And with regards to Proposition One, that was on the ballot...

LADENBURG: Last November?

YOUNG: Last November, that's correct. I understand that you had a role in the information that was distributed and maybe you could just provide a little background into that.

LADENBURG: Sure. Once the county council decided to put the measure on the ballot we, the executive's office, recommended to them that they allocate some funding, some money to distribute information to the voters of what the ballot issue was about. And I don't know if I can remember the exact number but I think around \$40,000 was allocated by the council to do distribution of information. And then I assigned the director of communications, Ron Klein, the job of coming up with the information to be distributed. He does virtually all of the communications with the public for the different offices including in our case the assessor/treasurer and the auditor, which are executive branch departments under Pierce County charter. So the auditor and the assessor/treasurer, all of the elected officials are executive branch departments. So the director of

communications does their communications with the public and also the county council and the county executive and approves public works communications and things like that.

YOUNG: And did you have any role into the content of the mailer at all?

LADENBURG: Yes. Because as you know having been here, but for those that are not in the present room the communications office is right here in the county executive's suite. And I met with Ron a number of times and talked about what we ought to put out and how it ought to be presented and what would be the cheapest ways to do it. You know, whether it would be by a letter or a mailer or whether you buy an ad in the paper or you know, there's all kinds of ways to do communications and the question was how can we get kind of the most information to the most people with the amount of money we've got to work with. And so Ron would come to me and say I'm thinking about doing a postcard thing for example and he'd show me what he's thinking of and I would approve it. Say okay that would be okay and then we'd talk about content also.

YOUNG: And can you maybe provide a little background as to what types of input you had into the content?

LADENBURG: Sure. Well I've been involved in these a lot over the years obviously since I have been in government so long. And as the county prosecuting attorney, I was involved in a number of them where we had ballot issues and the council and the prior executive Doug Sutherland, or the prior executive to him would want to put out some information to the public and they would ask us to work with them on what could go in the information under the PDC rules and we would talk to the PDC about that regularly. And so you know, I went through it with him, telling Ron who is not a lawyer what you

can and can't say in these kinds of things and what we don't want to do and what we do want to do and giving him advice on what ought to be on the flyer. And I'm trying to remember if there were one or two flyers in this case now that I think about it. I know there was at least one and maybe two.

YOUNG: Ron had provided me with the second postcard.

LADENBURG: I'm sure you have copies of them.

YOUNG: I do. I'm all set on that. Thank you. Obviously you've been familiar with the Public Disclosure law over the years then and I don't know, in the response it had talked about a jail issue in 1996 where the executive office had sent out information and it had come to me and I had reviewed it as a staff person. Would that be based on a recommendation from the prosecutor's office when you were there?

LADENBURG: Right. Actually, yeah, it invariably, because I was involved both because I wanted to see the new jail get built, we needed it badly and as the prosecuting attorney I campaigned for it and went out and I was up for election that year too. In fact I think we even used, I was involved in both the private campaign and the public campaign. Let me say, I'll try to clarify that for you. But in the public sense the county would ask the attorney's what do you think of this thing. My policy was to talk to the people at the AG's office. You know to call, I mean, and the PDC. Normally it was just call the PDC staff and we would fax them things and say here's what we're sending out and they often would have a comment saying this language may be wrong or you don't want to do this. And then we would say okay. Now there never was a process like where you

stamped it and said it was okay. But it was kind of informal discussion like that with staff and that's what I at first thought we would do here until we found out we couldn't do that or the PDC wasn't gonna do that this year or whatever. Because that had always been my policy is let's run it by the PDC people and let them tell us what they think of it before we send it out. So that didn't happen in this case. Well we tried, I guess maybe Skip called on our behalf or something to ask if we could do that again.

YOUNG: That's correct. We had an injunction based on some...

LADENBURG: Right. I understand. He explained to me that they were involved in a lawsuit and couldn't do that so we couldn't get an informal opinion from them and so I said well let's you know, we'll look at it ourselves. We've got lawyers here, we've been involved in it and we'll figure it out ourselves and do what we can.

YOUNG: And after it came back and, I guess, were you made aware then that we wouldn't review it?

LADENBURG: Yes. They told me they wouldn't review it and you know, I just made the determination we'd have to do it in house. I told Ron who is from the private sector and didn't know anything about PDC laws what we had, you know, why we had to be careful. His inclination was to sell the thing of course because he was in private sector for 25 years and I said no, no we have to give them the facts. And so I tried to narrow it down for him as to the law and said okay you want to layout what the proposition is. What is being asked. What the tax rate is, what those things, what the numbers are for people and give them some conceptual idea of what they would pay if this is passed. Then you want to layout what they will buy. What they're being sold. What are you going to get. And then you want to layout

what happens if it doesn't happen. You know, if they vote no what's going to happen. It tells them to do different things. It may or may not happen depending on the decision they make. Understanding that it comes with kind of an unusual background, this one. And that is that we had a performance audit that said we were 77 officers short of where we ought to be with regard to adequate number of sheriff's deputies. And we also had, this coming just after the Court of Appeals had reversed several felony cases in Pierce County because the courts didn't get them to docket fast enough. And so there was a lot of discussion of the fact that we needed more in Sheriff, we need more courts, we needed prosecutors. And so I told Ron, that's not really the issue, whether we need more or not that's not what the public's being asked to decide, whether you need more or not. The decision is do you pay for them with a new tax. So you've got to lay this out for them and say okay here's what you get, here's the facts, now is this tax the right way. Well obviously the voters said no that's not the right way. And we tried to tell them well you could do nothing in which case you still have these deficiencies that everybody is aware of. You can use this tax or you can at a later date use some other tax. Of course with the county it's either the property tax or the sales tax. So we have basically two options. And of course the property tax having just been limited by the Eyman initiatives, the council was not of any mind to put the property tax on the ballot. Maybe they're different about it now.

YOUNG:

Probably a wise decision on their part.

LADENBURG: Yeah. It wasn't there. So, yeah. I looked at each one of the things before it went out and said yeah it looks good to me I don't think that violates the law in terms of what the county can produce.

YOUNG: And then I think Ron had said in his interview that he had emailed it around to other individuals.

LADENBURG: Right. I, we operate that way in all kinds of different processes. Even though I may have final approval over something like that and tell him yeah go ahead and go with it, we'll ask, I'll ask Skip to look at it, I'll ask the prosecuting attorney's office, we'll mail it around to elected officials and ask them what do they think of that. We do this with flyers. You know I think that Ken Matson, the assessor/treasurer sends out about one a month right. You know, he's different, you know thing. We're currently very careful with Ken saying that you're up for reelection this year you haven't filed yet and we understand that but you can send out stuff but we want to approve it here through the executive's office because I don't want you sending out something that's going to get us whacked because it's electioneering. The same thing with the assessor/treasurer is also up so you know, we're careful when all of these mailings go out. It'll be sent out to them but we in a sense are going to hold that final approval because the county council and the executive are going to be responsible for it in the end.

YOUNG: And so this process wasn't just for this proposition...

LADENBURG: Oh no.

YOUNG: ...that was for all publications or for most.

LADENBURG: Yeah. For all of the mailings and like I say, we do a lot of mailings to the public for different reasons on different items like that. Some of them informational, Matson and the auditor do a lot of

informational mailings on voting and how to vote and things like that. And then on taxes and where your taxes go, where they come from and all of that stuff. Ken's been doing a big voter outreach to explain to people where their property taxes go and things like that but we do mailings out of public works all the time and so we, you know, out of PALS, Planning Land Use Services, I'm sorry you don't know our acronyms.

YOUNG: That's okay. I know a lot of acronyms but that one helped.

LADENBURG: Somebody listening to the tape may not know but you know, where for example there may be a dispute for an issue in front of the hearings examiner and we've got to be careful we don't take a position or take a public position. So there's a lot of scrutiny of mailings. But that, you're right, this was no different. It's the same process we always use.

YOUNG: Okay. Did you have any role in deciding that it was going to be targeted to two of four voters?

LADENBURG: Well only in the sense that I said try to get it to, you know, use our money wisely. We only got so much money. We can't obviously you know, spend so what would you do? Would you first, the decision to do a mailing broke down as the most effective way to reach most likely people that would show up at the polls voting because if you do TV or, you know, newspapers you don't necessarily get down to who to do it to. Two out of four, you know I think it just came up with numbers. You know, how much can we afford to do as to opposed to, that that would be obviously more effective would be 100% of the voters but you know that 100% of the voters are never gonna go to the polls and especially in an off

year election like that. So it was just an issue of try to get the most information to the most people and Ron just gave me the numbers and I probably said yeah do that because he'd say well look here we can get two out of four and the cost would be x. And we could do two mailings and that's more effective than one mailing because people see the first one and then they're reminded. You do another one and you know it's on the ballot. And from his advertising expertise he's always told me one thing is never effective, you've got to, you know Coke tastes great they've been saying for 20 years.

YOUNG: The Dale Carnegie School...

LANDENBURG: Yeah. If you want people to know what's on the ballot and what the issue is you've got to do it more than once. So it was just an issue of numbers, raw numbers. What's the cost and how many people can we get to and of course voter lists being the most effective way to reach voters.

YOUNG: And did you have any discussions that that might create a problem or anything?

LANDENBURG: No because, I mean I think in the past when we've had issues like this and people talked about how do you mail. You know or many we mailed you know in other things to less than all of the voters. On the theory, the targeting, if you want to do targeting in an election, you wanted to get more positive votes than not, for example in Tacoma and I've been a politician for 20 some years, I would not mail any to the south county. The heavily conservative districts that vote no on all taxes I wouldn't even let them know it's on the ballot. I'd go to North Tacoma where all of the liberals live and they vote yes. I'd mail to four out of four out here and one out

of eight so do you know what I mean? That would be targeting. To look for your yes voters and get them to the polls and try to keep the other people from noticing its on the ballot. And that's basically what I've said in the past to lawyers in the prosecutor's office, targeting is different than just not mailing to everybody. You know, I said that's like taking an ad in the Tribune, it doesn't go to everybody either. We've had enough juries to tell you that, you know when I ask the jury panel how many people get the News Tribune about 25% percent in the county read the News Tribune so you've targeted one out of four people let alone how many voters. So every method of reaching out doesn't necessarily get you to all of the voters. I mean its just a question to me of saying what's, for the bang for the buck how can the county get the most information to the most likely people to be at the polls next month so that they have some information about what their council is asking them to do.

YOUNG: So you didn't go in with it's going to be two of four? It was more the, how the information could get distributed that drove what the ultimate final list was?

LADENBURG: If we had \$80,000 we may have gone three out of four.

YOUNG: Got it. Okay.

LADENBURG: If we had \$100,000 it may have been four out of four. If we had \$10,000 it may have been one out of four. I mean it was a numbers driven thing saying, weighing the pluses and minutes of how much money you have, you know and the mailing you have to do, how much it costs to print the mailing, you know, the parcel and the postage and backing these things out and coming up with a

number. You know, rather than, it was just the most we could do. So yeah, if we had had more money we'd mail to more people. No doubt about it. That would be an easy decision to do.

YOUNG: And did any council members have any feedback into that decision? Two of four?

LADENBURG: I don't recall actually discussing that with the council. I don't know that, I don't think so. I mean I remember discussing with them doing the mailings and I think we sent around what we were going to mail but I don't think we told them, I don't think we told them who we were going to mail to or how we picked that or anything like that. I think that was discussed at the council meeting.

YOUNG: Is that...

LADENBURG: To my knowledge. I mean somebody else may have. But I don't recall ever discussing that with them.

YOUNG: Is that the type of thing that you would discuss with them normally?

LADENBURG: Not normally. It just, yeah, I mean we don't do that and I don't know that Matson always mails to every voter either all of the time. I don't know what he's done with his numbers. It's expensive to do that. So.

YOUNG: So no specific policy then?

LADENBURG: No. It's more a question of budget.

YOUNG: Okay.

LADENBURG: You know, every year Matson or the others will come in and say well I want so much budget for mailings and we'll argue with them and try to cut their budget. You know, like they do everywhere else. So the council had given us so much money and we just tried to figure out okay what's, you know what kind of thing to print up, how slick do you make it. Do you make it glossy, do you, I mean there is

a lot of decisions that go down and all of them have something to do with money. The more money you spend doing that the less money you have doing a mailing then you know, so you kind of weight and bounce as to get an effect that, you know I said people get their money's worth for what the government's trying to do is trying to let them know this thing is on the ballot and there's a big decision to make.

YOUNG: I guess I had forgotten to ask that to Ron but was there a discussion about black and white versus multi colored and glossy and all of that?

LADENBURG: Oh yeah. Yeah. Because you can get really slick with these mailings and we were trying to keep it, there's two things we wanted to do, one we wanted to, like I said, reach out to the most voters and present an effective piece of communication. Something that people will look at and notice yeah this is an important issue in front of me I need to pay attention to this. But not make it look, make it look professional enough but not overly expensive because that just offends people. I mean there gonna say wait a minute what are you doing sending me these slick things, you know, with my money. So we're trying to make it responsible but not overboard on the thing. Not like you might get from professional campaigns and things like that that, no one complains that Senator Murray spends a lot on her brochures. You know because it's her private money, campaign money.

YOUNG: Did you get any calls or any feedback from the brochures? From citizens or other interested parties?

LADENBURG: The only ones I got were the people that complained to the PDC. I think two of them sent me emails saying, you know, your, this is wrong you shouldn't be mailing out information. And they particularly were questioning the facts listed on there. And I wrote back and said that's not the issue, I said there is no discussion of whether, people are not being asked to vote whether or not we need sheriff's deputies, people are being asked whether they want to spend money, raise their taxes, which then would be spent on sheriff's deputies. You know. And they may or may not want to address the need for sheriff's deputies with the tax. That's a different issue than whether or not there's an argument that you need sheriff's deputies. Which wasn't the argument in front of the public at the time or is to this day. I mean we're now going through the whole process of trying to find money to bring on more sheriffs' deputies in the current budget. Which was one of the options we said. We could go back and squeeze other budgets, we could raise the other tax or we could do this one. People said no to this tax so we are now going back and doing one of the options that was on that mailer. What we could do with it. So, no, I only got a couple of complaints and I think it was the same two people that filed formal complaints. Washum and who's the other guy that filed the complaint?

STANSBERRY: I can't remember.

LADENBURG: I can't remember the names. I think it was emails though. I don't think I got any phone calls from anybody.

YOUNG: And would that have been close to the general election? I mean I know there were two mailings, would it have been after the first or second mailing? If you can remember.

LADENBURG: I don't recall. It was right around the time the mailings went out and people got them but I don't recall exactly when it was. Either before or after the election. It probably was before the election because the mailings were out before the election obviously. But that's all of the complaints I got.

YOUNG: And I think Ron answered the question but I guess I ask the same of you, did you approve any other mailings dealing with ballot measures prior to this one since you've been executive?

LADENBURG: Did we have another, I can't recall that we had another ballot issue.

STANSBERRY: Not of our own. There were the statewides.

YOUNG: And did you put out information about...

LADENBURG: Oh, oh, I'm sorry, yeah. We did, did we put out info about 747? The 1% property tax. We put out a flyer about that now that I think about it. Did we not? I'm pretty sure we did.

STANSBERRY: I don't know if we did.

LADENBURG: I think we did.

YOUNG: I know Ron gave me a copy of something but it was more to do after the fact and how the monies were allocated and who's affected by it.

LADENBURG: I don't recall off the top of my head but the policy would be it would go through me.

YOUNG: Okay.

LADENBURG: I mean that would be the policy and we may have done a flyer about 747 before it was passed. I thought we had talked about that. Maybe the council decided not to do it. Wouldn't give us the money to do it. But I remember now that I know that I wanted to do one. I can't remember if we actually got permission to do a flyer about

how much money 747 was going to cost the county in tax revenue over a 10-year period. I remember doing up the numbers. I remember having Pat Kenney do up the numbers. I can remember seeing them and saying boy that's a big number I hope the public realizes what they're doing here. And so, but we may not have gotten the money from the council to do that one. Because the council was split on 747.

YOUNG: Partisan lines?

LADENBURG: Very.

YOUNG: Okay.

LADENBURG: But I mean the policy is the same. Its going to go through communications because when I became executive we consolidated communications. That office didn't exist when I was prosecuting attorney and it was of the faults I thought we had in the county is we didn't have a coordinated communication strategy and so as executive we're going to do mailings and they come through communications and I approve them. Even, like I say, these ones that come through the other elected officials who happen to be under our strange charter part of the executive branch. So I'll approve Matson's before they go out and stuff like that. I'll just look at them and say okay it looks good to me.

YOUNG: Okay. Is that something you could check on? To see whether there was an I-747 mailer, other than the one that Ron already gave me that was, he indicated was after the fact.

STANSBERRY: Yeah.

YOUNG: I understand you were part of the, I don't want to say committee, but the pro committee for the Proposition One?

LADENBURG: Uh-huh.

YOUNG: Is that correct?

LADENBURG: Yes. Yes.

YOUNG: And obviously you probably attended meetings on your own time and...

LADENBURG: Right. We would meet at a restaurant a couple of blocks from here down by Wright's Park after work or before work. We had a couple of breakfast meetings, I hate breakfast meetings but everybody else likes them. And myself and for the county council mainly Calvin Goings I think. But then a number of people in government. There were police officers, sheriff's people, Ron, the other guy, the Gig Harbor advertising guy, I can't remember his name but another guy, a couple of guys doing advertising. I went to those meetings. We probably had five or six meetings.

YOUNG: Okay.

LADENBURG: My job, my part of that mainly was to raise money. Calvin and I went around to unions and businesses and private individuals that we knew because of course we have money raising lists and ways from our private campaigns and went out and solicited money for the campaign. And then Ron was with a group that did advertising. He and a couple of other people that knew about advertising did the advertising, decided what to do and wasn't involved much in those decisions with the group. I was really there as a conduit to help raise some money so they could spend it. And they had people doing yard signs and all of that stuff. Spent a lot of money and lost big time.

YOUNG: Those things happen. I got to ask the question, I'm assuming you're familiar with the use of facilities. Did you use any of the facilities to solicit funds for the proposition?

LADENBURG: No. Absolutely not. No.

YOUNG: Okay.

LADENBURG: Just very easy to keep separate. I've done it for so many years its just second nature. I've had to explain that to Ron, I mean he didn't know any of that stuff when he first came in here and I, he, you know I'd say Ron you've got to be careful, don't use the phone, email or anything here. Use private, you know, only. And these kinds of things. And he knows now after three years in government. But everybody else is long time employees here. Skip was with the prior executive's, Connie Perry was my secretary for 15 years in the prosecutor's office so they all know the rules. And I don't have anything here I could use really. I mean all of my lists are on three computer systems at home and all of that stuff. So I mean that's where we do the soliciting, fundraising.

YOUNG: No phone calls or email solicitations?

LADENBURG: Calvin and I would take people to lunch, things like that and go out and solicit unions and people like that to support that process. But no, we were very careful to try to keep that very separated and anybody who would, in fact even people who would email me, you know who found out about the campaign may email me at work, this happens on all kind so political stuff and I sent and email back saying please use john@ladenburg.org as my email from now on. That's where you need to contact me for these kinds of things that are about my campaign for this year for example or this campaign or any other political thing I'm working on. I always email them back

and say no, wrong email. They get it off the web, I know how they get it but I always give them my other email address and solicit them to use that exclusively and they do so it works out.

YOUNG: Perfect, that's the way to handle it. I mean I get a lot of stuff email to me, I'm on a lot of lists you know, and I get all kinds of campaign stuff and people call up and say well how can I stop it from coming in and I go you can't, it's just you can't forward it or act upon it. Just let them know not to.

LADENBURG: Right. That's what I do. I just send them back and say use my, these phone numbers and these emails for contact about stuff that's not government related and I've done that for many, many years.

YOUNG: Perfect. Bear with me just a second here, I'm about done.

LADENBURG: No problem.

YOUNG: I guess that's really about it. Our two big issues were just potentially the content and then the targeting of the voters.

LADENBURG: Sure.

YOUNG: Those were the concerns that were raised in the complaint.

LADENBURG: Right. Well if you have any other questions I'd be happy to answer them at a later date if you get back to your office and discover oh I wish I had asked. Get ahold of Skip and I'd be happy to do it and we can do another, phone thing over the phone too.

YOUNG: Okay.

LADENBURG: To make sure you get a full statement. I don't want you to have to drive all the way up from Olympia again for one question or something.

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YOUNG: Okay. Well I guess at that point if you don't have anything else to add I'll go ahead and conclude...

LADENBURG: Okay.

YOUNG: ...the interview of John Ladenburg at 4:32 on the 16th.

LADENBURG: Alright. Great.

YOUNG: Thank you.

PDC Interview of Ronald Klein
by Kurt Young

June 16, 2004

Tacoma, Washington

Tape 1, side A

YOUNG: This is the Public Disclosure Commission recorded statement of Ronald Klein in PDC Case #04-440, Pierce County Officials. A complaint that had been filed by Mr. Washam and a couple of other individuals. The time is now 3:05. The date is June 16, 2004. I am Kurt Young of the Public Disclosure Commission staff. Also present is Skip Stansberry, counsel for the executive's office? Does that work? And Constance Perry who will be administering the oath. This statement is being recorded at the office of the Pierce County Executive, 930 Tacoma Avenue South, Suite 737 in Tacoma. And at this time Ms. Perry will administer the oath.

PERRY: Ronald Klein, please raise your right hand. Do you promise the answers you are about to give will be the whole truth and nothing but the truth?

KLEIN: I do.

YOUNG: Great. Thank you Constance.

PERRY: You're welcome.

YOUNG: And just for the record, do you understand this statement's being recorded?

KLEIN: Yes.

YOUNG: And for, also for the record would you please state and spell your full name?

KLEIN: First name also?

YOUNG: No. I think we can handle Ronald.

KLEIN: Ronald Scott Klein K-L-E-I-N.

YOUNG: And can we get a work address for you?

KLEIN: 930 Tacoma Avenue South, Room 737, Tacoma, Washington, 98402.

YOUNG: And a work telephone number for the record.

KLEIN: 253-798-7159.

YOUNG: Great. Is it okay if I call you Ron or Ronald?

KLEIN: Ron is fine.

YOUNG: Ron is fine.

KLEIN: If you call me Ronald I'd think you're my Dad.

YOUNG: Okay. Fair enough. Ron can you give us a little background into educational and work experience leading up to your being employed with Pierce County here? Just maybe back about five years or so.

KLEIN: I was the creative director for a large advertising agency in Seattle, Cole and Weber. I've had a working and personal relationship with John Lattenburg, a personal friend relationship with John, Executive Lattenburg for about 20 years. When he was elected County Executive he asked if I would be interested in running his new communications department and I accepted his offer. So I've been Director of Communications since January of 2001.

YOUNG: Had you had any employment in the public sector prior to that appointment?

KLEIN: My first job out of college was working for the City of Tacoma at the time it was managing their cable television franchises and producing local programming that was either shown on the cable channel or just in house closed circuit. I did that for five years and then I went into the advertising industry.

YOUNG: And when working for Cole and Weber did you work for any governmental clients and produce any brochures or documents for those agencies? If at all.

KLEIN: No.

YOUNG: Okay and you came on in...

KLEIN: January of 2001.

YOUNG: And...

KLEIN: I think that's, isn't that the year John got elected?

YOUNG: He was elected in 2000, reelection this year?

KLEIN: Yes it is.

YOUNG: Okay.

KLEIN: Yes.

YOUNG: Time's flying by. In the response that we had gotten back it had indicated that you had worked on the proposition one information sheet, is that correct?

KLEIN: Yes it is.

YOUNG: And I'll just label that as Exhibit 1, I'm sure you're familiar with that document.

KLEIN: Yes. This is actually the second one. We produced two mailers. Two separate mailers. This is the second one of those two.

YOUNG: Oh okay. And in working on those, how did you compile the information for inclusion in the brochure? Or flyer.

KLEIN: It was a direct mail postcard. The information came to me from many sources. From our budget and finance department, from the Sheriff's Department, from Prosecuting Attorney's Department, from the County Council, from our counsel here in the Executive's office, and from a wide range of non-profit organizations, so I was

supplied with that information from probably six to ten different sources.

YOUNG: And I understand that you had discussed this with Mr. Stansberry and it was subsequently submitted to the PDC. Is that correct?

KLEIN: From what I understand it's our practice to submit everything that we do that goes to the public for, that will be voted on, to the PDC before we mail it out.

YOUNG: And obviously we were under an injunction and didn't have a chance to review it based on advice from our legal counsel. In producing this was there any concerns that were raised along the way with any of the information that was included in there?

KLEIN: On the first one, I sent it out to all of the sources that I had received information from to get feedback and the only concern that I had received was from one council member and basically from his council aid who sent it back and said there may be some concern on some of the wording. We discussed that. Came to the conclusion that we had no opinion from the PDC, our decision was to do the best job that we thought possible and so we went ahead with what, well actually it may have been revised even a couple times to make sure it was completely accurate and provide the scope of information we thought the citizens would want and then it was mailed out.

YOUNG: Did that go through, did you send it to each council member?

KLEIN: Yes.

YOUNG: Okay.

KLEIN: Yes. It was emailed as an attachment to all of the council members, all of the department directors that had been involved in this proposition as well as hard copies were given to most everyone.

YOUNG: And obviously you were familiar with the 42.17.130 the use of public facilities, or prohibition or I guess were you aware of that prohibition against the use of public facilities to support ballot measures?

KLEIN: If you take an advocate position from what I understand. If it's an informational materials then, my understanding is that you can use public, what did you call them?

YOUNG: Public facilities.

KLEIN: Public facilities.

YOUNG: And did any of the feedback that you received from other individuals, did they say this looks like it might be promotional or this looks okay or did you get any feedback that had concerns about content? Other than that one council member?

KLEIN: Not that I can recall. No.

YOUNG: Okay. In the decision to mail it to a universe of registered voters, were you involved at all in that decision making process?

KLEIN: Yes. We discussed who would receive the direct mail postcard and it was based on the amount of funds we had available. There are 300 and something thousand voters in Pierce County, which represent probably 200,000 households. We didn't have the funds available to print that many pieces and pay for postage. So we received a budget from the county council for the purpose of these two mailers and we decided how many we could reach within that budget. And one of the rules of advertising is it often times isn't

nearly as effective to only mail one, to mail twice. And if you have the funds, mail three times. Well we didn't have the funds for three times, but we did twice to reach two out of four voters. Two out of four voters are people who have voted in primary's, two out of the last four primary's and general elections.

YOUNG: Was the, and I only have a copy of one of the brochures, was it the brochure similar to this one?

KLEIN: Do you want to see it?

YOUNG: Yeah. If you had it available that would be great. If not I could go off record and we can take a short break if it's going to take a second.

KLEIN: It's right here.

YOUNG: Perfect, okay. And did this one go out first?

KLEIN: That was the first one, yes.

YOUNG: And would you happen to know the timing? Ballpark. I don't need to know the exact date but, assuming after the primary.

KLEIN: I think it was just around the primary and the other was right around the general election.

YOUNG: Okay.

KLEIN: Something like that.

YOUNG: And did you have any discussion about you know, it's okay to mail it once or twice or was there any discussions that mailing more than once might raise a red flag for somebody?

KLEIN: No, it never came up.

YOUNG: Okay. Had you, since you'd been on had you mailed other major policy issues to citizens, I don't know if it'd be land use or anything like that. Have you done any major mailing prior to this one since you had taken over as communications director?

KLEIN: Nothing that the citizens would vote on but yes I've got a stack, I've got a box right there of material that we have mailed to citizens either county wide or in districts.

YOUNG: And do you send out a newsletter?

KLEIN: No.

YOUNG: No okay. And those mailings would have occurred, I think I had asked and this might be where we get into the discussion you wanted to have Skip but had, can you quantify maybe how many mailings that you had done to countywide voters since you came on board? Not related to a ballot measure but just major policy or other issues.

KLEIN: Not all of them are mailed just to voters although sometimes we use that because it's a list that's available. To have to go out and get a mailing list for possible audiences other than voters requires a lot more money and time and all of that. So often times we will just use voters. Sometimes though we'll use zip codes. Sometimes there will be other lists that mail houses have available. And we use mail houses because they can not only label the piece they can handle the postage for you and they even break it into zip codes and things like that and the post office really likes that because it's much more efficient for them.

YOUNG: Carrier route sorted.

KLEIN: Exactly.

YOUNG: Yeah.

KLEIN: For us to do that would be impossible. We don't have the people to do that. Or the skill. And you asked me how many other pieces, oh dozens. That would be 10's of thousands if not 100's of thousands of mailings for several elected officials, the treasurer, the auditor,

the council, the executive ranging in everything from talking about the cross space highway and our plans for that to the real estate excise tax. Why, the information behind the council's proposal to consider it and so forth.

YOUNG: And those mailings would also include I guess, council members, for lack of a better word franking privileges to communicate with citizens about what they're doing in their council district?

KLEIN: Very, I handle very few of those. Maybe one or two. Most of the time they handle that themselves.

YOUNG: Okay.

KLEIN: But I have done a couple of those. Generally for the chairman or chairperson of the council they will use his office for that purpose.

YOUNG: And you would then draft it? Or how would that work.

KLEIN: It could be they could just sit down and say hey this is information that needs to be provided to the citizens and I'll write it, we'll design it, we'll have it printed from them, we'll send it to the mail house. Do the whole thing.

YOUNG: And I noticed that you had purchased the label for, I don't know at least this mailing, possibly both from labels and lists.

KLEIN: Labels and Lists yeah.

YOUNG: Any reason why Labels and Lists versus the auditor's office?

KLEIN: Well the auditor's office just has the addresses, they don't label anything or mail anything. In fact Labels and Lists gets their addresses from the auditor's office. They buy it from the auditor and then we have this printed through our general services department, which has a contract with the printer, they deliver it to Labels and Lists. Labels and Lists will do that to it, and this.

YOUNG: Okay.

KLEIN: And what I'm referring to in that and this is the address and then the what is called the postal indicia.

YOUNG: Okay.

KLEIN: And then distribute it to the post office. They don't take it all to one post office. They know that if it's going to go in certain areas they'll take it to a postal branch that's in the zip code.

YOUNG: Okay. And have you, would it be your office that would then purchase those labels from Labels and Lists or purchase that service or how would that process kind of work?

KLEIN: Almost never does my office do that. Generally it's the department that's requesting the work. The assessor/treasurer's office or the auditor's or the county council or the executive. Mainly because I just don't have a budget. My budget is very small and departments that are requesting our services pay for those services. It's not my department that paid for the printing and the stock and outside consultants.

YOUNG: Okay. So just so I'm clear I thought you purchased the addresses, but actually each time you do a mailing I'm assuming then it goes to Labels and Lists for that particular universe of that mailing?

KLEIN: Yes. Our general services division will go to a mail house for all mailings. It could be a Mail Media, a Mail Northwest or Labels and Lists. All public information is mailed out that way.

YOUNG: And does that, does the universe vary depending on the content? I mean is it two of four voters historically or all box holders or is does it just depend on the content?

KLEIN: No it depends on the budget for something like this. We would have loved to mail to one out of four. You know, this person votes

in one election or even all households, but we simply didn't have the funds to do that. That would have been 100's of thousands of dollars and we couldn't come anywhere close to that.

YOUNG: And was that a decision made by the executive or the council?

KLEIN: That was discussed. The council said that we feel that we can spend x amount of dollars, I think it was about \$60,000 on two mailings. Supplemental budget. I went to the mail house or our general services and I said for this size postcard how many can we get for \$60,000 and they said for, it think it's for \$30,000 you can get this many, I translated that into two out of four voters. And that's how we came up with that number.

YOUNG: And the council budgeted the money for was it the executives office or was it directly for the communications department or?

KLEIN: They just paid the bill. General Services just sends them the bill, the county council the bill and they pay it from there.

YOUNG: Okay.

KLEIN: I don't handle the money at all.

YOUNG: Did you, for lack of a better words, lobby the council for the money or did they appropriate it on their own volition or with some input from the executive or do you know?

KLEIN: Kurt I don't really remember. I was given that number and I don't, the chronology prior to that I'm not aware of.

YOUNG: Okay.

KLEIN: I was just told \$60,000 is about what we have to spend on this. It was my recommendation that we do two mailers instead of mailing it to this many people with a 60,000 one shot. I said let's go for two

mailers because we can get more information on who and plus have a little bit more repetition.

YOUNG: Did you receive any feedback from the first mailer?

KLEIN: Public or?

YOUNG: Public yeah.

KLEIN: Oh yeah. Sure.

YOUNG: And what was the range of feedback that you got on that?

KLEIN: As in any public mailer, the majority of responses are negative but we had a certain percentage that, two things, a certain percentage that were just inquisitive, I have some questions regarding your mailer can you just provide me with more information. And some that were positive, keep up the good work the county badly needs this.

YOUNG: Did you get any feedback that this looks like a campaign brochure or anything like that from any callers?

KLEIN: Yes. There were people that said you're using public money illegally. And when I explained the situation that we had approached the, had sent it to the PDC that was the last call I received from those people. But, yeah.

YOUNG: And so I'm, it seems like most of the complaints came in after the second piece. I was just wondering why.

KLEIN: I don't know if most of the complaints came in after the second piece. I'd say I probably heard from more people by far after the first mailer.

YOUNG: And by complaint I meant to our office. I'm sorry, not to you.

KLEIN: Oh.

YOUNG: I was just wondering if you got any feedback after the second mailing is what I was kind of leading up to.

KLEIN: I don't think I received a phone call after the second mailing. Not one. Now I may be inaccurate on that. I may have received one or two of them. But by far most of them, in fact we even put a phone number on the piece for people to call if they had questions or concerns or anything. We didn't have anything to hide. We wanted to talk to people.

YOUNG: And who would that phone number go to?

KLEIN: That came right to me.

YOUNG: Okay.

KLEIN: Well actually to a recorded message so I could come back, come in everyday and answer them. And we kept that throughout the campaign.

YOUNG: Is that like a special line set up for those kinds of purposes?

KLEIN: Yeah.

YOUNG: Okay.

KLEIN: It said please leave your message and somebody will get back to you pronto. And I answered them everyday.

YOUNG: Do you know if any council members or the executive received any calls and contacted you subsequently about discussions they might have had with citizens about the mailers?

KLEIN: They didn't say anything to me.

YOUNG: Okay. I have to ask, did you coordinate any of these activities with the Yes committee about these mailers?

KLEIN: Any of these?

YOUNG: Correct.

KLEIN: None whatsoever.

YOUNG: Okay. Did you have any discussions with anybody from the Yes committee about the mailers or anything like that? On company time, I'm sorry.

KLEIN: Oh, no. No. We met very early on, I think it was Monday mornings off premises and discussed our, as a member of the advocacy group at that time although I did nothing other than act as a consultant. I didn't write anything, I didn't produce anything. I simply acted as a consultant with the advocacy group and I've had discussions with the News Tribune about that. They were inaccurate in saying that I lead that. I did not. I was just part of the committee as far as the advocacy group. But no we didn't have any discussions about these pieces other than they went out and this is the message. And it would be almost impossible to not talk about that.

YOUNG: Oh, no. Understood. And you volunteered your own time for that?

KLEIN: After hours. My own time, I received no compensation for this.

YOUNG: And you weren't pressured to do any work for that type of service.

KLEIN: Nope.

YOUNG: Did you provide any input into their brochures or publications? Is that the type of consulting that you would have done?

KLEIN: Yes. We, they hired a, I had nothing to do with this, in fact I can't remember who recommended the company, but hired a, I can't even think of the name of the company. I'm sorry.

YOUNG: That's okay.

KLEIN: Anyhow we hired a consultant to, who, his company actually does things like this and his company wrote, produced and mailed the flyers that, for the advocacy group. And all I did was work with the other committee members and say yeah that's in the right direction

or you might consider doing this or whatever. That was an opportunity to say the things we couldn't say on these.

YOUNG: Exactly. That's the way it should be. Maybe you could just list some of the individuals that you worked with on that committee. If you can recall their names.

KLEIN: Oh yeah. The chairs were John Ladenburg and Calvin Goings. But on almost weekly basis it was attended by Prosecuting Attorney Jerry Horn, by several members of our judiciary and whoever was the presiding judge at that time. I think it was James Orlando. Members of the Sheriff's Department and City of Tacoma Police Department. Members of the union for both the Sheriff's Guild and the City of Tacoma Police union. And several members of community organizations ranging from just concerned citizens to domestic violence, programs against domestic violence, youth advocacy. A wide range of those. And they would come in and you know they'd be at one meeting, the next meeting they may not attend. But it was, at one point also attended by firefighters because it was a public safety proposition. So there were firefighters from both Pierce County and the City of Tacoma involved. And let's see who else showed up. I think that's to my recollection, pretty close to the people who were there.

YOUNG: And did you say those meetings, was it Monday that you talked about?

KLEIN: Yeah. I think it was Monday mornings at 7:00. I know it was darn early.

YOUNG: And that constitutes early. Was that weekly then that those meetings took place?

KLEIN: I think it started out weekly and then as it neared election time it became as necessary or as somebody called it, probably by the time there was an election a couple of weeks before hand there were no meetings at all. What was going to be done would have been done by that time.

YOUNG: And obviously having a lot of law enforcement, was there discussions at any of these meetings that we're going to take this back to the office and work on it in the office at all?

KLEIN: They're very careful about that. All of the sign work and everything was done literally in people's garages. It was, signs were posted on weekends. All meetings happened off premises and after hours. I never met with anybody other than at, well we used to meet at the Hob Knob restaurant a couple of blocks away from here. But I understood there were other meetings at people's homes. Other than that there was no discussion here at the city/county building that I was privy to.

YOUNG: Were you aware, other than the meetings, was there other activities that transpired on county time? Did you receive any emails about the Yes committee or any phone calls?

KLEIN: Not about the Yes committee.

YOUNG: Okay.

KLEIN: If I did receive a phone call it would be over my own private cell phone.

YOUNG: Okay.

KLEIN: Regarding email. There may have been some email that went back and forth regarding meetings or status and things like that but we have a policy here in Pierce County that email is somewhat like the

telephone that it's not strict that you can't ever have a personal phone conversation and email is the same way.

YOUNG: Okay. Did you draw on any other publications that you had put out in order to put this together?

KLEIN: Yeah. I have a file here. Here's one from Washington county which is in Oregon and the only other one that I knew of, this is the only, since I've been here, I've only been here three and a half years, this is, during my length of employment this is the only opposition or initiative or referendum that I have been involved in. So the, I kind of relied on this one that we did in 19, that the county did, in 1996 regarding the jail. And its right there and you can see there is a lot of similarities with that one.

YOUNG: And just noting on the record that I was the staff member who reviewed this in '96.

KLEIN: We also sent out this document on email and on our website, so citizens were provided, not only citizens could access that through our website but all council members and all department directors were able to access that information and provide it to citizens and they called and said I need more information about this. And that's a question and answer document.

YOUNG: Did you scan any of these documents in and make them available on the website as well or was it just this one that dealt with the ballot measure.

KLEIN: Not on the county website I don't think we provided these. But let me tell you, answer that by saying that I don't remember. I don't know if we put it on there or not.

YOUNG: Okay.

KLEIN: I'd have to go back and look. Not to my recollection but I'm not positive about that.

YOUNG: No, that's fine. Did you receive any feedback from the posting of this on the website or did you get any calls or was this routed to your phone number again, I don't see a number on this one but.

KLEIN: No that was just available on the website for people to read.

YOUNG: Okay.

KLEIN: In several places, at the Sheriff's Department and the Prosecuting Attorney's website, our website. Just made available. I didn't receive any response other than from council members who found it useful when speaking to their citizens.

YOUNG: And just for the record, it's a five page document entitled "The Vote on the Criminal Justice Sales Tax Increase Q & A." I'm close to wrapping this up. Let me just go off the record for a second and collect my thoughts here. And we're back on the record, it's 3:43. And Ron I was just bringing up the point of the government access channel and maybe you can describe your role in that and I'll have some follow up questions.

KLEIN: We have an organization in Pierce County called the Rainier Cable Commission and the Rainier Media Center and they are a co-op group that involves several cities as well as Pierce County. And they provide, that channel provides, I guess you would call it government access and information on what would be referred to as a bulletin board for citizens. Because Pierce County is the chief funder of that, of the Cable Commission, it has to reside somewhere and so it resides in the communications department. It is part of my department. I oversee it.

YOUNG: And did that become part of your department after you came on board or was it previously? If you know.

KLEIN: I think it did after I came, pardon?

STANSBERRY: Yes.

KLEIN: Yes it did become part of my department after I came on board. Prior to that it was with information services. Which kind of made sense when there was no communications department but now that there is one it made perfect sense to transfer it into, under my department.

YOUNG: And I know I had asked Skip, or actually Doug some questions about this but maybe I can just touch on it briefly. What's your offices' role in the programming or content on what appears on the channel?

KLEIN: I don't have any.

YOUNG: Okay. What role I guess do you have in the channel then?

KLEIN: Oversee the budget.

YOUNG: Okay.

KLEIN: And I work with the members of both RCC and RNC to improve and provide information produced by Pierce County to citizens, to the citizens of Pierce County. However there's also University Place, Fife, Sumner, and other cities that are members of the commission and of course we have no jurisdiction over anything they do. But I don't oversee the programming. I don't look at all of the specific programs that are produced and aired or anything like that.

YOUNG: And I'm from King County so they have the, King County has its own channel and then the cities have their own channel. Is that similar in Pierce County?

KLEIN: Not all cities have their channel. They use ours. That's what the RCC is.

STANSBERRY: It's a shared channel. If you want I can give you some more information about how this works.

YOUNG: Okay. Perfect.

KLEIN: It's a horse of a different color.

YOUNG: That's fine.

KLEIN: City of Tacoma has its own channel.

YOUNG: That one I knew. Did you have any role in some of the programming that might have showed up on the access channel about Proposition One?

KLEIN: None.

YOUNG: Okay.

KLEIN: It was at the request of a council member or a citizen or a department head directly to the cable channel.

YOUNG: And the budget, is that appropriated by the council or out of the executive's office or how does?

KLEIN: It's approved by the council, submitted by my department. There was no special budget for government access for the Proposition One at all.

YOUNG: And so if somebody wanted to appear in a specific segment they wouldn't contact you?

KLEIN: No.

YOUNG: Is that correct? Okay. I guess that's really all I have. I didn't know if you had anything you'd like to add for the record.

KLEIN: I don't recall if there was any programming on our government access regarding Proposition One. If there was, it was probably in regularly scheduled shows, programs like, there's a show called the Council Corner, County Council Corner, Pierce County Speaks. Often times council members will be the host of those shows or will be appearing in an interview situation or maybe even will be interviewing somebody themselves to discuss the matter. So if that's where it appeared it was not a special program. It was just part of our regularly scheduled shows.

YOUNG: And the council members that appeared on those programs, that would be done through the...

KLEIN: That would be an arrangement between them and RCC>

YOUNG: Okay.

KLEIN: And not through my office. As we just mentioned, it is a special arrangement and departments and council members are not required to go through the communications department to schedule or produce programming. However, I am in charge of that department, even if it is more of a figure head than a programming head.

YOUNG: Okay. I think that pretty much sums it up. At this point its 3:48 and we'll go ahead and conclude the interview of Ron Klein at this time. Thanks for your time.

KLEIN: You're welcome.

Important Information about Your Taxes and Safety

Presorted Standard
U.S. Postage
PAID
Tacoma, WA
Permit Number 820

Why do Pierce County, Tacoma and other cities need more police officers, an improved court system and increased public safety?

- ✓ Pierce County ranks 38th out of 39 counties in the number of officers per citizens
- ✓ We have the highest violent crime rate in the state
- ✓ The most felony convictions
- ✓ The most sex offenders
- ✓ The second most auto thefts
- ✓ The most meth-manufacturing labs on the West Coast

On Tuesday, November 4th, residents will vote on Proposition 1, a measure to increase our sales tax by three-tenths of a percent.

What will Proposition 1 do?

- * Increase law enforcement and reduce response time by hiring more than 100 new county and city police officers
- * Provide prompt justice and accountability for offenders by increasing the numbers of judges, prosecuting attorneys and public defenders
- * Assure that offenders do not receive early release and the remaining areas of the new jail can be opened by hiring more corrections officers
- * Protect victims and keep young people out of jail by supporting domestic violence and juvenile crime prevention programs

What if Proposition 1 passes?

If approved, Proposition 1 will raise the sales tax by 3/10th of a percent. That will result in a 3¢ increase on a \$10 purchase. Food, medicine and automobiles will be excluded from the tax increase.

What if Proposition 1 fails?

Cities and the county will have the choice to do nothing, further reduce or eliminate other services to find funding, or resubmit the Proposition at a later date.

This information is provided by Pierce County to help inform voters about Proposition 1. Please call 253-798-3100 with questions or concerns.



More Important Information about Proposition 1

Proposition 1 must be used for public safety purposes only.

On Tuesday, November 4th, residents will vote on Proposition 1, a measure to increase our sales tax by three-tenths of a percent.

What will Proposition 1 do?

- * Hire 100 more police officers in the cities and the county to improve law enforcement.
- * Fund three new domestic violence centers to protect and assist victims and their children.
- * Save criminal costs by funding juvenile crime prevention programs that keep children out of jail.
- * Protect seniors from financial, physical and emotional abuse.
- * Hire 48 corrections officers to prevent the early release of prisoners and open the remaining areas of the new jail.
- * Provide prompt justice and accountability for offenders by increasing the number of judges, prosecuting attorneys and public defenders.

What will Proposition 1 cost?

Proposition 1 will increase the sales tax by three-tenths of a percent. That equals 3¢ on a \$10 purchase. Food, medicine and automobiles are exempt from the tax increase. Funds received from Proposition 1 can only be used for public safety purposes.

Why is Proposition 1 on the ballot?

- * We have the highest violent crime rate in the state.
- * The most felony convictions.
- * The most meth-manufacturing labs.
- * The most sex offenders.
- * The most auto thefts.
- * Pierce County ranks 38th out of 39 counties in the number of officers per citizens.

This information is provided by Pierce County to help inform voters about Proposition 1. Please call 253-798-3100 with questions or concerns.





COUNTY OF PIERCE

VOUCHER

Voucher No:
569232

Department of Budget & Finance

615 South 9th Street - Suite 100

Tacoma, Washington 98405-4673

Effective Year: 03

Pierce County Contact: ALLRED, LILLIAN S

Phone: 253.798.6209

Req #:

Page 1 of 1

Mar 25 2004 9:41 AM voucher control id: 569232

Apprv:

Voucher Date:

10/7/2003

FIN Vendor #: **7204-4**

V 01 NAME
E 02 BAILEY CREATIVE DIR. & ILLUS
N 03 DBA SCOTT BAILEY
D 04 ADDRESS
O 05 3118 NO 20TH ST
R 06 TACOMA WA 98402

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COMMUNICATIONS
930 Tacoma Ave S #737
County-City Building
Tacoma WA 98402

Item	Enc	Line #	BARS	Tax Code	Amount
	I	1	001.134.0000.51110.49.0414		\$500.00
Total Amount:					\$500.00

ITEMS

Item	Qty Received	Unit	Description	Unit Cost
1	1.00	LS	Art direction and creation of Proposition 1 mailer.	\$500.0000

VENDOR INVOICE INFORMATION

	Amount	Tax	Freight	Comment
Inv: 1938	\$500.00			
Invoice Totals:	\$500.00	\$0.00	\$0.00	

Received By: _____ Received Date: 9/30/2003

STATE OF WASHINGTON - COUNTY OF PIERCE, SS.

I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or labor performed as described herein, and that the claim is a just, due and unpaid obligation against The County Of Pierce, and that I am authorized to authenticate and certify to said claim.

subscribed this _____ day of _____ year _____ at _____ WA.

(Signed) _____ For _____
(Auditing Officer) (Department or Taxing District)

Approved and _____ Head Of Department
Authorized by _____

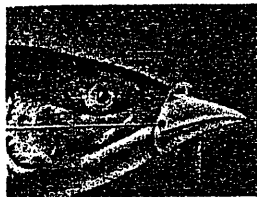
ORIGINAL

EXHIBIT #6
Page 1 of 13

County Executive or his Designee

Title

Date Allowed _____



SCOTT BAILEY

FREELANCER. ADS. DESIGN. ILLUSTRATION.

INVOICE 1942

Proposition 1 Mailer
Pierce County Communications
Ron Klein
Communications Director
930 Tacoma Ave. S., Rm. 737
Tacoma, WA 98402

RECEIVED

NOV - 6 2003

Pierce Co. Executive

LA

DATE

10/31/03

DESCRIPTION

Proposition 1 Mailer correction and second version.

SERVICES

AMOUNT

Mechanicals

270.00

Misc.

15.00

Services Total

285.00



COUNTY OF PIERCE

VOUCHER

Voucher No:
574326

Department of Budget & Finance

615 South 9th Street - Suite 100

Tacoma, Washington 98405-4673

Effective Year: 03

Pierce County Contact: ALLRED, LILLIAN S

Phone:

Req #:

Page 1 of 1

Nov 10 2003 11:33 AM voucher control id: 574326

Apprv:

Voucher Date:

11/10/2003

FIN Vendor #: **7204-4**

V 01 NAME
E 02 DBA SCOTT BAILEY
N 03 ADDRESS
D 04 3118 NO 20TH ST
O 05 TACOMA WA 98406
R 06

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COMMUNICATIONS
930 Tacoma Ave S #737
Tacoma WA 98402

Item	Enc	Line #	BARS	Tax Code	Amount
	I	1	001.134.0000.51110.49.0414		\$285.00
Total Amount:					\$285.00

ITEMS

Item	Qty Received	Unit	Description	Unit Cost
1	1.00	EA	Proposition 1 - Mailer correction and second version	\$285.0000

VENDOR INVOICE INFORMATION

	Amount	Tax	Freight	Comment
Inv: 1942	\$285.00			
Invoice Totals:	\$285.00	\$0.00	\$0.00	

Received By: _____ Received Date: 11/6/2003

STATE OF WASHINGTON: COUNTY OF PIERCE, SS.

I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or labor performed as described herein, and that the claim is a just, due and unpaid obligation against The County Of Pierce, and that I am authorized to authenticate and certify to said claim.

subscribed this _____ day of _____ year _____ at _____ WA.

(Signed) _____ For _____

Approved and _____ (Auditing Officer) _____ (Department or Taxing District)

Authorized by _____ Head Of Department

County Executive or his Designee

Title

Date Allowed

DEPARTMENT COPY

EXHIBIT #6

Page 3 of 13

Labels & Lists, Inc.

2500 - 116th Avenue N.E.
Bellevue, WA 98004
Ph: 425-822-1984
800-842-LIST

10/22/2003

Pierce Co Dept of Communications
Prop 1
930 Tacoma Ave S
Room 737
Tacoma, WA 98402

Invoice 43067-8

WA Pierce Co

Labels -- Magnetic Media	75263 @ \$16.9/1000	\$1,271.94
Select/Omit by Voter File Data or Private Code	75263 @ \$5/1000	\$376.32
Create Data Exchange File		\$15.00
Shipping		\$10.00
Total		\$1,673.26

Ref: Proposition 1
Ordered by Lillian Allred

10/22/2003

10/22/2003

Executive

Please be advised, if payment has not
been received within 30 days your credit
card, given as security, will be debited.

Thank you for your order

Please record invoice number on remittance.

Payment due on delivery. 1.0% monthly interest charged on all past due accounts. \$5.00 minimum
administrative charge per month. Vendor will not be liable for any consequential, indirect, incidental or
special damages arising from the customer's use of incorrect tables, lists, or other products.

DEC 10 2003
FAXED



COUNTY OF PIERCE

VOUCHER

Voucher No:
579887

Department of Budget & Finance

615 South 9th Street - Suite 100

Tacoma, Washington 98405-4673

Effective Year: 03

Pierce County Contact: ALLRED, LILLIAN S

Phone: 253.798.6209

Req #:

Page 1 of 1

Dec 15 2003 10:06 AM voucher control id: 579887

Apprv:

Voucher Date:

12/15/2003

FIN Vendor #: **7998-7**

V 01 NAME
E 02
N 03 ADDRESS
D 04
O 05
R 06
LABELS & LISTS
2500 116TH AVE NE
BELLEVUE WA 98004

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COMMUNICATIONS
930 Tacoma Ave S #737
County-City Building
Tacoma WA 98402

Item	Enc	Line #	BARS	Tax Code	Amount
	I	1	001.134.0000.51110.49.0414		\$1,673.26
Total Amount:					<u>\$1,673.26</u>

ITEMS

Item	Qty Received	Unit	Description	Unit Cost
1	1.00	EA	Mailing address labels for "Proposition 1" education mailer	\$1,673.2600

VENDOR INVOICE INFORMATION

	Amount	Tax	Freight	Comment
Acct: WA Pierce Co Inv: 43067-8	\$1,673.26			
Invoice Totals:	\$1,673.26	\$0.00	\$0.00	

Received By: _____ Received Date: 10/23/2003

STATE OF WASHINGTON - COUNTY OF PIERCE, SS.

I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or labor performed as described herein, and that the claim is a just, due and unpaid obligation against The County Of Pierce, and that I am authorized to authenticate and certify to said claim.

subscribed this _____ day of _____ year _____ at _____ WA.

(Signed) _____ For _____

Approved and _____ (Auditing Officer) _____ (Department or Taxing District)

Authorized by _____ Head Of Department

County Executive or his Designee

Title

Date Allowed _____

DEPARTMENT COPY

EXHIBIT #6
Page 5 of 13

2500 - 116th Avenue N.E.
Bellevue, WA 98004
Ph: 425-822-1984
800-842-LIST

10/9/2003

Pierce Co Dept of Communications
Prop 1
930 Tacoma Ave S
Room 737
Tacoma, WA 98402

Invoice 42511-8

WA Pierce Co

Labels -- Magnetic Media	75263 @ \$16.9/1000	\$1,271.94
Select/Omit by Voter File Data or Private Code	75263 @ \$5/1000	\$376.32
Create Data Exchange File		\$15.00
Shipping		\$10.00
Total		\$1,673.26

Ref: Proposition 1
Ordered by Lillian Allred

Please be advised, if payment has
not been received within 30 days
your credit card, given as security,
will be debited.

Thank you for your order

Please record invoice number on remittance.

Payment due on delivery. 1.0% monthly interest charged on all past due accounts. \$5.00 minimum
administrative charge per month. Vendor will not be liable for any consequential, indirect, incidental or
special damages arising from the customer's use of incorrect tables, lists, or other products.



COUNTY OF PIERCE

VOUCHER

Voucher No:
570606

Department of Budget & Finance

615 South 9th Street - Suite 100

Tacoma, Washington 98405-4673

Effective Year: 03

Pierce County Contact: ALLRED, LILLIAN S

Phone: 253.798.6209

Req #:

Page 1 of 1

Oct 15 2003 9:29 AM voucher control id: 570606

Apprv:

Voucher Date:

10/15/2003

FIN Vendor #: **7998-7**

V 01 NAME LABELS & LISTS
E 02
N 03 ADDRESS 2500 116TH AVE NE
D 04
O 05 BELLEVUE WA 98004
R 06

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COMMUNICATIONS
930 Tacoma Ave S #737
County-City Building
Tacoma WA 98402

Item	Enc	Line #	BARS	Tax Code	Amount
	I	1	001.134.0000.51110.49.0414		\$1,673.26
Total Amount:					<u>\$1,673.26</u>

ITEMS

Item	Qty Received	Unit	Description	Unit Cost
1	1.00	LS	Mailing address labels for "Proposition 1" education mailer	\$1,663.2600

VENDOR INVOICE INFORMATION

	Amount	Tax	Freight	Comment
Acct: WA Pierce Co Inv: 42511-8	\$1,673.26		\$10.00	
Invoice Totals:	\$1,673.26	\$0.00	\$10.00	

Received By: _____ Received Date: 10/9/2003

STATE OF WASHINGTON - COUNTY OF PIERCE, SS.

I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or labor performed as described herein, and that the claim is a just, due and unpaid obligation against The County Of Pierce, and that I am authorized to authenticate and certify to said claim.

subscribed this _____ day of _____ year _____ at _____ WA.

(Signed) _____ For _____

Approved and _____ (Auditing Officer) _____ (Department or Taxing District)

Authorized by _____ Head Of Department

County Executive or his Designee

Title

Date Allowed _____

DEPARTMENT COPY

EXHIBIT #6

Page 7 of 13

2500 - 116th Avenue N.E.
Bellevue, WA 98004
Ph: 425-822-1984
800-842-LIST

10/23/2003

Pierce Co Dept of Communications
Attn: Lillian
930 Tacoma Ave S
Room 737
Tacoma, WA 98402

Invoice 43032-8

WA Tacoma

Labels -- Magnetic Media	Quantity, 18835 -- Scrapped	\$95.00
Shipping		\$10.00
Total		\$105.00

UA

12/2/03

Please be advised, if payment has not been received within 30 days, your credit card, given as security, will be debited.

Thank you for your order

Please record invoice number on remittance.

Payment due on delivery. 1.0% monthly interest charged on all past due accounts. \$5.00 minimum administrative charge per month. Vendor will not be liable for any consequential, indirect, incidental or special damages arising from the customer's use of incorrect tables, lists, or other products.



COUNTY OF PIERCE

VOUCHER

Voucher No:
572240

Department of Budget & Finance

615 South 9th Street - Suite 100

Tacoma, Washington 98405-4673

Effective Year: 03

Pierce County Contact: ALLRED, LILLIAN S

Phone: 253.798.6209

Req #:

Page 1 of 1

Oct 27 2003 1:52 PM voucher control id: 572240

Apprv:

Voucher Date:

10/27/2003

FIN Vendor #: **7998-7**

V 01 NAME
E 02 ADDRESS
N 03 2500 116TH AVE NE
D 04
O 05 BELLEVUE WA 98004
R 06

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COMMUNICATIONS
930 Tacoma Ave S #737
County-City Building
Tacoma WA 98402

Item	Enc	Line #	BARS	Tax Code	Amount
	I	1	001.134.0000.51110.49.0414		\$105.00
Total Amount:					<u>\$105.00</u>

ITEMS

Item	Qty Received	Unit	Description	Unit Cost
1	1.00	LS	Proposition 1 - Scrapping fee for cancelled mailing labels	\$95.0000

VENDOR INVOICE INFORMATION

	Amount	Tax	Freight	Comment
Acct: WA Tacoma Inv: 43032-8	\$105.00		\$10.00	
Invoice Totals:	\$105.00	\$0.00	\$10.00	

Received By: _____ Received Date: 10/27/2003

STATE OF WASHINGTON - COUNTY OF PIERCE, SS.
I, the undersigned do hereby certify under penalty of perjury, that the materials have been
furnished, the services rendered or labor performed as described herein, and that the
claim is a just, due and unpaid obligation against The County Of Pierce,
and that I am authorized to authenticate and certify to said claim.

subscribed this _____ day of _____ year _____ at _____ WA.

(Signed) _____ For _____

Approved and _____ (Auditing Officer) _____ (Department or Taxing District)

Authorized by _____ Head Of Department

County Executive or his Designee

Title

Date Allowed _____

DEPARTMENT COPY

EXHIBIT #6
Page 9 of 13

Revenue Transactions By DepartmentBars Account:
001 134 0000 51110 49 0414**COMMUNICATIONS-PROP #1**

Billing Period: NOVEMBER 2003

Mail Code	Mail Type	Date	Pieces	Revenue
490414	UPS	10/24/2003	1	\$4.12
490414	TEKS SERVICES	10/29/2003	75262	\$5,404.42
490414	USPS - PERMIT #820	10/30/2003	75262	\$15,594.86
Totals			150525	\$21,003.40

Revenue Transactions By DepartmentBars Account:
001 134 0000 51110 49 0414**COMMUNICATIONS-PROP #1**

Billing Period: OCTOBER 2003

Mail Code	Mail Type	Date	Pieces	Revenue
490414	USPS - PERMIT #820	10/16/2003	75262	\$15,594.86
490414	TEKS SERVICES	10/17/2003	75262	\$4,421.80
	Totals		<hr/> 150524	<hr/> \$20,016.66

PRINT SHOP USE ONLY

Date Sent _____ Date Due _____
Vendor _____ Req # 12199



Pierce County
General Services Department
2310 South Commerce
Tacoma, WA 98402

**Requisition for
Printing, Graphics
and Quick Copy
Services**

Date Ordered 10/7 Date Required 10/14/03

Form # _____ Description CRIMINAL JUSTICE

Department COMMUNICATIONS TAX

* Deliver to OCB-ROOM 737 (PROOF)

Ordered by LILLIAN Phone X6209

BILLING ACCOUNT NUMBERS

FUND	DEPT	PROG	BASUB	OBJ	M-OBJ
001	134	0000	5110	49	0414

PRESS AND GRAPHICS SECTION

Quantity _____ Ink Colors BLACK

Paper Color WHITE

Document Size 8 1/2 x 11

Paper Type

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BINDERY INFORMATION

- | | |
|--|--|
| <input type="checkbox"/> Numbering (Starting Number: _____) | <input type="checkbox"/> Punch (Side/No. of Holes: _____) |
| <input type="checkbox"/> Cut (Finished Size: _____) | <input type="checkbox"/> Stitch (Location/No. of Staples: _____) |
| <input type="checkbox"/> Comb Binding (Binding Color: _____) | <input type="checkbox"/> Perforate |
| <input type="checkbox"/> Pad (Number per Pad: _____) | <input type="checkbox"/> Laminate |
| <input type="checkbox"/> Tape Bind (Tape Color: _____) | <input type="checkbox"/> Package (Packages of: _____) |
| <input type="checkbox"/> Fold (Style/No. of Panels: _____) | <input type="checkbox"/> Wrap Cover/Books (No. per Book: _____) |

SPECIAL INSTRUCTIONS

*PROOF TO BE APPROVED BY RON KLEIN.
DELIVERY OF FINALS KNOWN BY JOHN B.
for mailing 16th or 17th

NOTES TO VENDOR:

RECEIVED

OCT 28 2003

Pierce Co. Executive

VENDOR _____	INVOICE _____	COST <u>4901.92</u>	ENTERED BY _____
VENDOR _____	INVOICE _____	COST _____	ENTERED BY _____

PRINT SHOP USE ONLY

Date Sent

Date Due

Vendor

Req #

12325

10/29



Pierce County

General Services Department

2310 South Commerce

Tacoma, WA 98402

Requisition for
Printing, Graphics
and Quick Copy
Services

Date Ordered

10/20/03

Date Required

ASAP

Form #

Description

PROP1-MAILER2

Department

COMMUNICATIONS

Deliver to

*MAILED OUT

Ordered by

LILLIAN MURPHY

Phone

X6209

BILLING ACCOUNT NUMBERS

FUND	DEPT	PROG	BASUB	OBJ	M-OBJ
001	134	0000	51110	49	0414

PRESS AND GRAPHICS SECTION

Quantity

* 75,500

Ink Colors

BLACK

Paper Color

WHITE

Document Size

8 1/2 x 11

Paper Type

☐ Bond

☐ Carbonless (# parts)

☐ Recycled

☐ Other

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BINDERY INFORMATION

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☐ Comb Binding (Binding Color:)

☐ Pad (Number per Pad:)

☐ Tape Bind (Tape Color:)

☐ Fold (Style/No. of Panels:)

☐ Punch (Side/No. of Holes:)

☐ Stitch (Location/No. of Staples:)

☐ Perforate

☐ Laminate

☐ Package (Packages of:)

☐ Wrap Cover/Books (No. per Book:)

RECEIVED

NOV 10 2003

Pierce Co. Executive

SPECIAL INSTRUCTIONS

* FINALS TO BE MAILED OUT PER "LABELS & LISTS"
& QUANTITY

ORDERED LABELS 10/20/03

Deliver to TEL 10/29

NOTES TO VENDOR

VENDOR:

INVOICE:

COST:

ENTERED BY:

VENDOR:

INVOICE:

COST:

ENTERED BY:

EXHIBIT #6

Page 13 of 13

Z-527 (rev. 11/93)



Pierce County

Office of Prosecuting Attorney

REPLY TO:
CIVIL DIVISION
955 Tacoma Avenue South, Suite 301
Tacoma, Washington 98402-2160
FAX: (253) 798-6713

GERALD A. HORNE
Prosecuting Attorney

Main Office: (253) 798-6732
(WA Only) 1-800-992-2456

March 31, 2004

Mr. Philip E. Stutzman
Director of Compliance
Public Disclosure Commission
P.O. Box 40908
Olympia, WA 98504-0908

DATE FILED PDC

MAR 31 2004

RECEIVED

APR 1 2004

Public Disclosure Commission

Re: PDC Case No. 04-440

Dear Mr. Stutzman:

Your March 3, 2003 letter solicited a response no later than March 17, but upon our request you kindly granted an extension to April 1, 2003.

In light of PDC staff's refusal to review our mailer last fall, Pierce County Executive John Ladenburg is frankly surprised that the Commission would now entertain a complaint under RCW 42.17.130. Last September, before the text of the first mailer was finalized, Skip Stansbury, legal counsel to the Executive, personally called Commission staff and asked for a review. Mr. Tony Perkins rejected that request out of hand, citing an injunction issued by the King County Superior Court. Yet, according to the opinion the Supreme Court ultimately issued in that case, Judge McDermott had only enjoined PDC publication or enforcement action concerning three specific provisions of the "Guidelines for School Districts in Election Campaigns" which the WEA had challenged, provisions which related solely to union distribution of information on school property and by internal mail and email systems. *Washington Education Association v. PDC*, 150 Wn.2d 612, 616-18, 80 P.3d 608 (2003). If there was something in that decree that required or even justified the PDC's refusal to examine Pierce County's literature before mailing, it escapes us.

On previous occasions Pierce County sought and obtained PDC review of ballot issue information prior to distribution, and in fact we modified the information to reflect PDC input. One instance of which we still have records involved a proposition to raise the sales tax to pay for jail improvements. Enclosed is a copy of Mr. Kurt Young's March 4, 1996 memorandum to Duane Rivera of the Executive's Office and the attachment showing his suggested changes. Also enclosed is the finalized fact sheet, "Citizen Information", which incorporated the PDC's suggested changes before it ran as newspaper advertising at a cost of approximately \$15,000.

EXHIBIT #7
Page 1 of 14



Printed on recycled paper

Had the Commission examined the mailers last fall when Pierce County requested review, and identified any problem with them, we assure you the suggested changes would have been considered and likely made, as was in fact done concerning the jail proposition sheet. Had the PDC offered substantial objections, the mailings may not even have occurred. Where Pierce County has previously sought and honored Commission input, it is manifestly unfair for the Commission to contemplate enforcement action now when it refused our requested pre-distribution review concerning the subject material. This is especially so when the Commission's traditional assistance in providing pre-distribution review was withdrawn without apparent justification. Accordingly, on grounds of simple fairness and equity Mr. Ladenburg requests that the Commission dismiss these complaints.

The following information responds to the specific questions at the bottom of the first page of your letter: (1) The flyers were authorized by County Executive John Ladenburg and by the Pierce County Council. The latter authorization took the form of a proviso on page 5 of Ordinance No. 2003-72s (enclosed). (2) Director of Communications Ronald Klein wrote the flyers. (3) County Executive John Ladenburg approved the flyers as mailed. (4) The distribution of the flyers was to households with a voter who had voted in two of the last four elections. (5) The cost of the flyers was as follows:

<u>Vendor</u>	<u>For</u>	<u>Amount</u>
Bailey Creative	Art	785.00
Labels & Lists	Addresses	3,451.52
General Services	Mail/Permit	41,020.06
General Services	Printing	<u>9,803.84</u>
	Total	\$54,275.42

Responding to the complaints themselves, Pierce County would first note that although RCW 42.17.130 prohibits use of public facilities to promote a ballot proposition, subsection (3) specifically states that the prohibition does NOT apply to "[a]ctivities which are part of the normal and regular conduct of the office or agency." WAC 390-05-271(2) would appear to be an attempt to rewrite the statute, unreasonably, unlawfully and beyond the delegation of authority of RCW 42.17.370(1), by saying that promoting a ballot proposition is prohibited even if the action is taken in the normal and regular conduct of the office or agency. WAC 390-05-273 compounds the error by defining "normal and regular conduct" unreasonably, unlawfully and beyond the delegation of authority of RCW 42.17.370(1), in language much more restrictive than the straightforward language of RCW 42.17.130(3) as construed in *King County Council v. PDC*, 93 Wn.2d 559, 611 P.2d 1227 (1980). See also the use of "normal and regular conduct" in the examples given by the Executive Ethics Board, WAC 292-110-030(3).

Assuming, however, that the WAC does set out the proper standard to be applied here, these mailers were lawful. On both the issue of objectivity and on the issue of normal and regular conduct, as already noted, the County Executive had earlier sought and

Letter to Mr. Stutzman
March 31, 2004
Re: PDC Case No. 04-440

-3-

obtained PDC clearance concerning newspaper advertising (enclosed) concerning a ballot proposition involving jail funding. Indeed, the format of that earlier piece was essentially the same as that of the subject mailings, posing questions, "Why does Pierce County need a jail addition?" and "What if Proposition 1 passes/fails?" These are questions a voter needed answered in order to make an informed decision concerning the proposition. The information in the mailers was largely drawn from Pierce County Council Ordinance 2003-80s (enclosed), which placed the proposition on the ballot. In short, the 2003 mailers were fair and objective, just as the 1996 advertising was. Again, if the Commission did have concerns about the language of the mailers, the time to have said so would have been back in September when it was asked for input. Changes could have been made then if necessary.

The subject mailers involved law enforcement issues, which are the purview of the County Sheriff. Under the Pierce County Charter §3.70 and §3.25(1)(a), however, the sheriff is not elected, he or she is appointed by and answers to the County Executive. Accordingly, issues involving law enforcement are particularly within the province of the Pierce County Executive. Just as citizens have the right to petition the government for redress of grievances under the First Amendment to the United States Constitution and under Art. I §4 of the Washington Constitution, elected officials with responsibility for providing police protection have a corresponding duty and right to distribute information to voters who are deciding funding issues that affect the level of such protection. Moreover, under Charter §3.25(1)(a) and (b) the Executive has the express power to supervise all County expenditures and to execute and enforce all ordinances of the County Council. Even under the narrow standard of WAC 390-05-273, then, the subject mailings were authorized by the Charter and budget ordinance, and were "usual" in the sense that they followed like efforts such as the 1996 jail advertising.

Mr. Washam's complaint focuses more on the distribution than the content of the flyers. The distribution, however, was totally driven by the available financing. There is no way the \$60,000 authorized by Council could fund a mailing to all Pierce County residents (700,000) or households (260,000). To be economically feasible, such a mailer had to be restricted to those who were likely to get some use of it, and here those most in need of the information were likely voters. There was no effort to target likely YES voters, or to get out the YES vote. There was no targeting by demographics such as age, sex, or geography. The information related to a ballot issue, and the mailing went to people likely to be voting on the ballot issue. To argue that the mailer should have been sent to persons who were unlikely to vote is to assert form over substance, and to urge that public money be squandered. Targeting likely voters with objective information concerning a ballot issue is certainly as justifiable as the practice of legislators targeting likely voters with general informational mailings notwithstanding RCW 42.52.180, which is the counterpart to RCW 42.17.130. Yet, according to Peter Callaghan's column in the News Tribune this

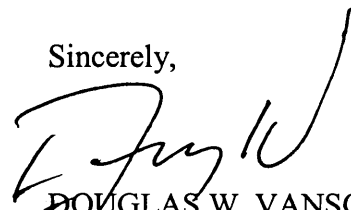
Letter to Mr. Stutzman
March 31, 2004
Re: PDC Case No. 04-440

-4-

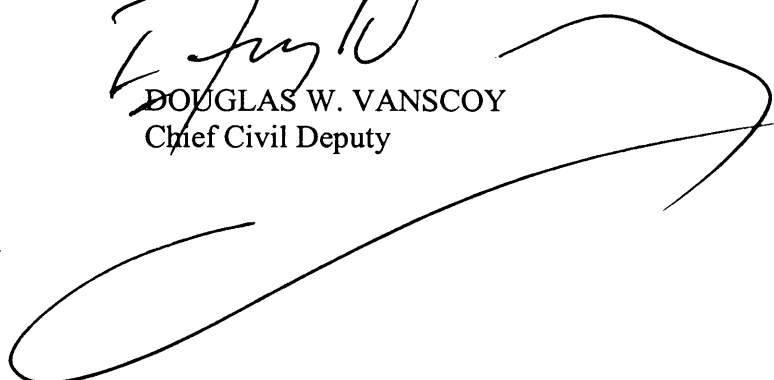
week, State Sen. Karen Keiser has written to the Legislative Ethics Board, "The typical legislative mailing is targeted to registered voters who are considered likely to vote in the next election." Unlike such general legislative mailings, there is a nexus between a mailing regarding a specific ballot issue and the pool of likely voters.

For the reasons stated, Mr. Ladenburg submits the Commission should dismiss this case, or should in the alternative find that the mailings were lawful under RCW 42.17.130. We stand ready, of course, to cooperate with your investigation in any way possible should you insist on proceeding further.

Sincerely,



DOUGLAS W. VANSKOY
Chief Civil Deputy



pdc091lv.doc
Enclosures
By Fax: (360) 753-1112 (w/o encls)



STATE OF WASHINGTON

PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm 403, PO Box 40908 • Olympia, Washington 98504-0908 • (360) 753-1111 • FAX: (360) 753-1112

M E M O R A N D U M

TO: Duane Rivera, Office of the Pierce County Executive

FROM: Kurt Young, Senior Political Finance Specialist

DATE: March 4, 1996

SUBJECT: Fact sheet

The PDC staff reviewed the proposed fact sheet you submitted by fax on March 1, 1996. Of course we are unable to verify the truthfulness or completeness of the information. Neither can the staff certify that the document could not be found objectionable under the law, RCW 42.17.130.

Rather, our review and comments are meant to give you our best opinion as to the apparent objectivity of the piece, and try to point out any areas we feel would clearly be objectionable under RCW 42.17.130.

We feel that the fact sheet submitted generally appears factual and straightforward. Our only areas of concern are as follows:

- At the top of the page, instead of "Pierce County Voter Information" we feel that "Citizen or Election Information" would be more appropriate. In addition, your first statement which reads "On Tuesday, March 26, voters", the word "voters" would need to be changed to residents or citizens.

- With regard to the last question "What if Proposition 1 fails", we felt that most of the response was inappropriate and in need of change. Beginning with "several hundred prisoners may need to be released" and ending with "the county will remain unable to arrest, prosecute, and sentence all criminals, and any prisoners will continue to be released early", we felt those statements could be interpreted either as inflammatory statements, matters of opinion, or an emotional appeal for support, rather than factual information.

- Finally at the bottom of the page, some changes would need to be made to the bolded words in the statement "Please take time to learn about this **important** issue and **remember** to vote on Tuesday, March 26".

If you have questions, please contact me at (360) 661-8851.

*"The public's right to know of the financing of political campaigns and lobbying
and the financial affairs of elected officials and candidates far outweighs
any right that these matters remain secret and private."*

RCW 42.17.010 (10)





Pierce County Voter Information

RECEIVED
MAR - 1 1996
Public Disclosure Commission

On Tuesday, March 26, voters in Pierce County will vote on Proposition 1- a measure to increase our sales tax by one tenth of a penny to build a jail addition next to the existing jail.

This information is being supplied by the Pierce County Council and Executive to help inform citizens about Proposition 1.

Why does Pierce County need a new jail?

The present jail was designed to hold 628 prisoners. Last year's average jail population was 1,182. The Federal Court has ordered Pierce County to reduce that number to a maximum of 772.

What will Proposition 1 do?

Proposition 1 will provide funds to build and operate a 1,000 bed jail addition next to the existing jail.

Who does the Pierce County Jail serve?

The jail is for all convicted felons countywide and for misdemeanants of most cities including Tacoma, Lakewood and University Place.

What if Proposition 1 passes?

If approved, Proposition 1 will raise the sales tax by 1/10th of a cent. It is estimated it will cost county residents approximately \$8 per year.

What if Proposition 1 fails?

In order to lower the prisoner count to the 772 Court-imposed cap, several hundred prisoners may need to be released. Also, without the jail addition, the county will remain unable to arrest, prosecute and sentence all criminals, and many prisoners will continue to be released early.

Please take time to learn about this important issue and remember to vote on Tuesday, March 26.

PDC first recommendations

3/1/96 SP

EXHIBIT #7
Page 6 of 19

Circled items are points of
concern to Kurt Young



Citizen Information

On Tuesday, March 26, residents of Pierce County will vote on Proposition 1 - a measure to increase our sales tax by one-tenth of a penny to build a jail addition next to the existing jail.

This information is being supplied by the county to help inform citizens about Proposition 1.

Why does Pierce County need a jail addition?

The present jail was designed to hold 628 prisoners. Last year's average jail population was 1,182. The Federal Court has ordered Pierce County to reduce that number to a maximum of 772.

What will Proposition 1 do?

Proposition 1 will provide funds to build and operate a 1,000 bed jail addition next to the existing jail.

Who does the Pierce County Jail serve?

The jail is for all convicted felons countywide and for misdemeanants of the county and most cities including Tacoma, Lakewood and University Place.

What if Proposition 1 passes?

If approved, Proposition 1 will raise the sales tax by 1/10th of a cent. It is estimated it will cost county residents approximately \$8 per year.

What if Proposition 1 fails?

In order to lower the prisoner count to the 772 court-imposed cap, prisoners could be released according to a matrix system rating their criminal histories. Also, without the jail addition, the county will be forced to continue to release prisoners before they've served their entire sentences.

Please take time to learn about this issue.

1 PROVIDED, \$50,000 of this appropriation shall be expended as
2 follows: (1) \$15,000 to the City of Roy, \$11,000 for capital
3 improvements and equipment at the Roy City Park and \$4,000 for
4 reference material and books at the City of Roy Library; (2)
5 \$25,000 to Partners for Parks for Ft. Steilacoom Park capital
6 improvements; and (3) \$10,000 to the Anderson Island Association
7 for capital improvements to upgrade pier foundations to earthquake
8 standards at the Anderson Island Clubhouse.
9

10 PROVIDED; \$100,000 of this appropriation shall be utilized at
11 South Hill Community Park for capital improvements to the picnic
12 area and purchasing of playground equipment.
13

14 PROVIDED; \$60,000 of this appropriation shall be utilized to
15 collect and distribute public information regarding the impacts
16 of the proposed public safety and criminal justice sales tax
17 increase on Pierce County (Ordinance No. 2003-80s2).
18

19 PROVIDED; up to \$60,000 of this appropriation shall be utilize
20 by the Facilities Management Department for the design, site
21 analysis, or other pre-construction work deemed necessary for
22 locating a public safety building in the Parkland/Spanaway area.
23

24 PROVIDED; up to \$25,000 of the Humane Society's appropriation
25 shall be expended to implement a spay and neuter program of
26 licensed dogs and cats within unincorporated Pierce County.
27

1 FILE NO. _____ PROPOSAL NO. 2003-80s

2 Sponsored by: The Pierce County Council

3 Requested by: Pierce County Council and Executive

4
5 ORDINANCE NO. 2003-80s

6
7 AN ORDINANCE OF THE PIERCE COUNTY COUNCIL CALLING FOR AN ELECTION
8 ON NOVEMBER 4, 2003, FOR THE PURPOSE OF SUBMITTING TO
9 COUNTY VOTERS THE DETERMINATION OF WHETHER OR NOT TO
10 IMPOSE A COUNTY-WIDE LOCAL SALES AND USE TAX TO FUND
11 AT LEAST 100 NEW CITY AND COUNTY COMMISSIONED LAW
12 ENFORCEMENT OFFICERS AND TO MAKE NEEDED IMPROVEMENTS
13 TO THE CRIMINAL JUSTICE SYSTEM, PURSUANT TO SECOND
14 ENGROSSED SUBSTITUTE SENATE BILL (SESSB) 5659,
15 CHAPTER 24, LAWS OF WASHINGTON, 2003.

16
17 WHEREAS, Pierce County has had the highest rate of violent
18 crime of all counties in Washington, according to the Washington
19 Uniform Crime Reports for 2000 and 2001; and

20
21 WHEREAS, There are 39 counties in Washington, but one out of
22 every five felons (19.7%) convicted in Washington State during 2001
23 was convicted in Pierce County. Pierce convicted more felons than
24 the combined total convictions in the next three largest counties:
25 Snohomish (6.6%), Spokane (5.4%), and Clark (6.4%).

26
27 EXHIBIT #7
Page 9 of 19

1 WHEREAS, There are not enough Sheriff deputies for all County
2 citizens to get a prompt response when they need law enforcement.
3 Consequently, citizens in outlying areas do not feel secure and law
4 enforcement officers do not have the back-up and support they need
5 to effectively protect and serve communities; and

6
7 WHEREAS, For years, the Pierce County Sheriff's Department has
8 ranked at the bottom of Washington counties in number of
9 commissioned officers per 1,000 citizens; in 2001, with 0.72
10 officers/1,000 people, Pierce County was 39th out of 39 counties;
11 in 2002, with 0.74 officers/1,000, the County was 38th out of 39
12 counties. In addition, Pierce County Sheriff deputies handle more
13 Part One (serious) crimes than any other county sheriff deputies in
14 Washington; and

15
16 WHEREAS, Currently, 75 percent of the County's general fund
17 dollars - the funds where the County has discretionary control - go
18 to law enforcement and criminal justice. Further increasing the
19 funds spent on Sheriff deputies and the criminal justice system,
20 without increased revenues, would directly cut other County
21 services, a policy choice that no one likes; and

22
23 WHEREAS, County property taxes are limited to a maximum annual
24 growth of 1 percent or the Implicit Price Deflator (IPD), whichever
25 is lower (Initiative 747, approved in 2001). Meanwhile, inflation
26 increases at a higher rate:

27
EXHIBIT #7
Page 10 of 19

	<u>IPD (percent)</u>	<u>Seattle CPI (percent)</u>
2001	2.0	3.6
2002	1.4	2.0

Since the County's costs for staff, personnel benefits, and operations often increase at a rate higher than the local consumer price index (and certainly increase well in excess of 1%), each year the gap widens between funds available to the County and the cost of providing expected services; and

WHEREAS, The 2003 Washington State Legislature recognized that local governments face enormous challenges in funding criminal justice services, and provided a means by which a county can seek local revenues in order to better protect the health and safety of its residents; and

WHEREAS, The special session of the 2003 Washington State Legislature enacted, and the Governor signed, Second Engrossed Substitute Senate Bill (SESSB) 5659 (the "Act") authorizing Pierce County to place on the ballot a measure that would authorize a sales and use tax of up to 0.3 percent to be collected throughout Pierce County for criminal justice purposes. The Act, recorded in Chapter 24, Laws of Washington, 2003, took effect on July 1, 2003; and

WHEREAS, The Act provides that at least "One-third of all money received under this section shall be used solely for criminal justice purposes . . . [which] means additional police protection,

1 mitigation of congested court systems, or relief of overcrowded
2 jails or other local correctional facilities;" and
3

4 WHEREAS, The Act provides for the money received under this
5 proposal to be shared, with 40 percent distributed on a per capita
6 basis to cities and towns in the County and 60 percent retained by
7 the County to support law enforcement services in the
8 unincorporated areas and county-wide criminal justice services; and
9

10 WHEREAS, The Act states that passage of this measure requires
11 50 percent approval at a primary or general election; the next
12 general election is November 4, 2003; and
13

14 WHEREAS, If the public approves the measure in November, the
15 additional sales and use tax is collected beginning April 2004 and
16 jurisdictions begin receiving revenue June 2004; and
17

18 WHEREAS, On July 8, 2003, the Criminal Justice Task Force,
19 Pursuant to Resolution No. R2003-60s, presented its report and
20 recommendation to the County Council and Executive and urged the
21 County and the public to seize this opportunity to provide
22 responsive public safety services to all County residents, increase
23 law enforcement, reduce crime rates in Pierce County, assure
24 accountability of offenders, respond to domestic violence, prevent
25 juvenile crime, coordinate drug treatment, and to transform the
26 County into a community known for reducing crime rates; and
27

EXHIBIT #7
Page 12 of 19

1 WHEREAS, The Criminal Justice Task Force set goals to guide
2 proposed additions to the Pierce County criminal justice system.
3 The proposed additional revenue for law enforcement and criminal
4 justice should be used to:

- 5 • Cut County crime rates by as much as 50 percent.
- 6 • Reduce the average emergency response time for Part 1
7 (serious) crimes in all County precincts and detachments,
8 both day and night.
- 9 • Assure prompt justice and accountability for offenders.
- 10 • Reduce long-term crime risks through effective prevention
11 programs targeting at-risk adolescents, truants, and moderate
12 offenders.
- 13 • Assure appropriate options for people whose drug, alcohol,
14 or mental health problems keep them in the criminal justice
15 system.

16
17 WHEREAS, To stop crime, offenders must be caught and held
18 accountable for their actions. As additional law enforcement
19 officers are added to the system, courts and courtrooms,
20 prosecutors, defense attorneys, jail officers, and other parts of
21 the system need augmentation to ensure the overall criminal justice
22 system is swift and fair, not clogged and exhausted; and
23

24 WHEREAS, The County has good information on the improvements
25 needed in law enforcement and criminal justice departments. The
26 County's Performance Audit program has focused on completing
27 outside audits of these departments, since so much of the County's

1 money goes into law enforcement and criminal justice. Over the
2 past three years, audits of the Sheriff's Department, Superior and
3 District Courts, the Prosecuting Attorney and Assigned Counsel
4 Offices, and Corrections have been completed. These independent,
5 outside audits have generated changes and efficiencies where
6 possible, but also illustrated some critical needs; and
7

8 WHEREAS, The 2001 Performance Audit of the Pierce County
9 Sheriff's Department recommended that 58 additional law enforcement
10 officers were needed to adequately serve County citizens. Since
11 2001, County population in the unincorporated areas has grown by
12 9,239, further adding to the service needs; and
13

14 WHEREAS, It takes up to nine months to hire, train, and place
15 new deputies into service. To provide an immediate, visible impact
16 on enforcement, as soon as the funding becomes available, the
17 Sheriff will be able to authorize overtime for existing staff to
18 provide special emphasis on immediate concerns, such as sex
19 predators, meth labs, junk yards, and stolen car operations; and
20

21 WHEREAS, Surveys show that turning people from crime requires
22 getting them off drugs. The County needs to assure that people can
23 get treatment when they need it, whether they are in the criminal
24 justice system or not, and whether either Superior or District
25 Court judges order treatment; and
26

27
EXHIBIT #7
Page 14 of 19

1 WHEREAS, The County has provided several prevention programs
2 that have documented exceptional results for youth and families at
3 risk for crime. Effective prevention programs are key to changing
4 the future of our communities and reducing crime; and
5

6 WHEREAS, The impacts of crime have wide-ranging personal,
7 social, and economic implications, harming not only individuals,
8 but also neighborhoods, communities, and economic development in
9 Pierce County; and
10

11 WHEREAS, A key factor for companies seeking to locate a
12 business facility is a community's quality of life, which includes
13 local crime rates. Low crime rates reduce a company's risk,
14 uncertainty, and the cost of doing business, and allow firms to
15 attract a higher quality workforce; and
16

17 WHEREAS, The County Council believes this legislation provides
18 an extraordinary opportunity to discuss the County's law
19 enforcement and criminal justice needs and plans, and to let the
20 voters decide how much law enforcement and criminal justice
21 services they will buy; and
22

23 WHEREAS, The County has received resolutions from local cities
24 and towns asking the Pierce County Council to submit this
25 proposition to the County voters and stating the number of law
26 enforcement officers they intend to hire as a result of this new
27 revenue; NOW, THEREFORE,

EXHIBIT #7
Page 15 of 19

1
2 BE IT ORDAINED by the Council of Pierce County:
3

4 Section 1. The Pierce County Council hereby calls for an
5 election on November 4, 2003, for the purpose of submitting to the
6 affected voters the determination of whether or not to authorize a
7 sales and use tax to fund at least 100 new City and County
8 commissioned law enforcement officers, and to make needed
9 improvements to the criminal justice system.
10

11 Section 2. The Pierce County Council hereby requests the
12 Pierce County Auditor to place a proposition on the November 4,
13 2003, ballot, and the ballot title shall read:
14

15 "Shall there be imposed a sales and use tax equal to two
16 tenths of one percent (0.2%) within Pierce County to provide
17 funds to hire at least 100 new City and County commissioned
18 law enforcement officers, and to make needed improvements to
19 the criminal justice system."
20

21 Section 3. The Pierce County Council recognizes the
22 resolutions from cities and towns urging support of the local
23 option sales and use tax, which revenue would be allocated pursuant
24 to Ch. 82.14 RCW, with 60 percent going to the County and 40
25 percent to the cities and towns on a per capita basis. The
26 allocation for each subsequent year shall be calculated using the
27 final, official June 30 population figures published by the Office

EXHIBIT #7

Page 16 of 19

Ordinance No. 2003-80s

Page 8 of 10

1 of Financial Management: The estimated annual sales and use tax
2 revenue for each jurisdiction, beginning June 2004, is outlined in
3 Exhibit "A," which is attached hereto and incorporated herein by
4 reference.

5
6 Section 4. Pierce County dedicates one hundred percent of the
7 County's share of revenue generated by the proposed sales and use
8 tax to County law enforcement and criminal justice purposes, as
9 recommended by the Criminal Justice Task Force in their report to
10 the Council on July 8, 2003. The Council's proposed allocation of
11 County revenue received from the proposed 0.2% sales and use tax is
12 outlined in Exhibit "B," which is attached hereto and incorporated
13 herein by reference. This proposal is fiscally balanced and
14 upholds the goals of the Criminal Justice Task Force
15 Recommendation.

16
17 Section 5. The additional Sheriff deputies funded by this
18 proposal are proposed to be allocated according to the schedule in
19 Exhibit "C", which is attached hereto and incorporated herein by
20 reference.

21
22 Section 6. The resolutions from cities and towns asking the
23 Council to submit this proposition to the County voters and stating
24 the number of law enforcement officers they intend to hire as a
25 result of this new revenue are included as Exhibit "D", which is
26 attached hereto and incorporated herein by reference.

27
EXHIBIT #7
Page 17 of 19

Section 7. The Clerk of the Council is hereby directed to provide a copy of this Ordinance, as adopted, to the Pierce County Executive, the Pierce County Auditor, and each city and town council in Pierce County.

PASSED this _____ day of _____, 2003.

ATTEST:

PIERCE COUNTY COUNCIL
PIERCE COUNTY, Washington

Denise Johnson
Clerk of the Council

Councilmember Harold Moss
Council Chair

Approved As To Form Only:

PIERCE COUNTY EXECUTIVE

Deputy Prosecuting Attorney

Approved _____ Vetoed _____
this _____ day of _____,
2003.

Date of Publication of
Notice of Public Hearing: _____

Effective Date of Ordinance: _____

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EXHIBIT #7
Page 18 of 19

Sales Tax Allocation to Pierce County Cities and Towns
(2ESSB 5659)

Estimated sales and use tax revenue for 2004 of each 0.1%

	@ 0.1%	@ 0.2%	@ 0.3%
Total	\$8,366,000	\$16,732,000	\$25,098,000
County	\$5,019,600	\$10,039,200	\$15,058,800
<u>Cities</u>			
Auburn	\$12,234	\$24,468	\$36,703
Bonney Lake	108,145	216,290	324,435
Buckley	37,621	75,242	112,863
Carbonado	5,470	10,940	16,410
DuPont	30,773	61,547	92,320
Eatonville	17,495	34,991	52,486
Edgewood	78,541	157,082	235,623
Fife	40,961	81,923	122,884
Fircrest	49,563	99,126	148,689
Gig Harbor	55,576	111,151	166,727
Lakewood	492,206	984,412	1,476,618
Milton	43,467	86,934	130,400
Orting	35,867	71,735	107,602
Pacific	1,169	2,338	3,507
Puyallup	296,376	592,752	889,128
Roy	7,265	14,531	21,796
Ruston	6,221	12,443	18,664
South Prairie	3,674	7,349	11,023
Steilacoom	51,108	102,216	153,324
Sumner	73,322	146,643	219,965
Tacoma	1,639,295	3,278,590	4,917,885
University Place	256,542	513,083	769,625
Wilkeson	3,507	7,015	10,522

Notes:

Estimate by Pierce County Budget and Finance.

Estimate is for full year of collection (2004); actual collection period for first year would be less.

Estimate is net of motor vehicle sales exemption.

Estimates have not been adjusted for compliance, avoidance, or elasticity.

Distributed based on Office of Financial Management official June 30, 2003, population figures.



Pierce County

Office of the County Executive

930 Tacoma Avenue South, Room 737
Tacoma, Washington 98402-2100
(253) 798-7477 • FAX (253) 798-6628

JOHN W. LADENBURG

Executive
jladenb@co.pierce.wa.us

LYLE QUASIM

Chief of Staff
lquasim@co.pierce.wa.us

July 8, 2004

Kurt Young
Chief Political Finance Specialist
Public Disclosure Commission
PO Box 40908
Olympia WA 98504-0908

RECEIVED

JUL 12 2004

Public Disclosure Commission

Dear Mr. Young:

Please find enclosed additional examples of Pierce County informational items which have been distributed to citizens to inform and advise them on a variety of subjects, programs and issues. All of those have been mailed and some have been distributed in other ways in addition to mailing, i.e. made available at various public facilities, or disseminated at meetings or public gatherings. These are merely a sample of the county's informational efforts, but by no means represent all the county's communications with its citizens.

The common feature among these mailings and the voter information mailing in question, is that each mailing was targeted to citizens who were perceived to be the most likely to benefit from the respective message. For instance:

(1) On December 7, 2001 the Executive and County Council sent the "Tax Alert" flyer to 2 out of 4 voters to explain the Council's vote to raise the Real Estate Excise Tax, why it was needed and what it would do.

(2) The Solid Waste Division of the Department of Public Works and Utilities typically sends its newsletters to all households in the unincorporated county and cities and towns where it provides solid waste services. However it sent the flyer on the Junk Vehicle Program only to households in unincorporated Pierce County because that constitutes the service area for the program.

(3) The Transportation Division of the DPW targeted its mailer on the Cross-Base Highway to residents and businesses in the geographic region where the impacts and benefits will be most significant.

(4) The Assessor's Department targets the market for its informational pieces according to message and budget. An individual mailer may be intended for all citizens, but budget constraints force them to select a smaller portion of the county (i.e. council or legislative district) whose population matches the mailing budget. Others are targeted by message, such as mailings to senior citizens regarding senior exemptions.

(5) The Auditor's Department's Elections Division sends information such as its Straight Arrow Campaign materials, designed to promote voting, to all voters. Its Voting is Cool campaign distributed materials to all elementary schools. The Voter Hall of Fame program, designed to recognize those who had been voting for a specified period, such as 50

EXHIBIT #8

Page 1 of 2



Printed on recycled paper

Mr. Kurt Young
Page 2 of 2
July 8, 2004

years, was sorted and mailed by birth date. Notices of Auditor's voters workshops at grocery stores are mailed to residents in zip codes proximate to the grocery stores.

(6) The Parks Department mails flyers and program booklets to various lists compiled according to interest in past program registration or from citizen interest groups.

(7) Councilmember mailings, such as the Wendell Brown piece are typically mailed to voters in the Councilmember's district on selected issues of interest and are directed to persons who have voted in recent elections, such as households with a voter who had voted in one (or 2, 3 or 4) of the last four elections.

Included also are the formative documents of the Rainier Communications Commission and the Regional Media Center which operates the government cable channel which carries County Council meetings and other programming, some of which is produced for the county. The county provides financial support to each through the respective funding formulae contained in the documents.

In addition you will find the invoices for the mailer which is the subject of this investigation as you had requested. The last four pages of that packet depicts charges for printing and mailing, comprising the vast bulk of our costs, which were done by our General Services office.

Finally I want to correct my statement to you over the telephone last week that the county had placed no measures on the ballot between 1996 and the 2003 Prop. 1 measure. In fact, the County placed a sales tax increase on the ballot in 2000, during the prior Executive administration, to raise revenues for parks. The county produced no informational materials for that issue.

If there is any additional information you would like, or questions I can answer, please do not hesitate to contact me.

Sincerely,



Hudson C. Stansbury
Special Assistant to the Executive

ss/km

cc: Douglas Vanscoy, Chief Civil Deputy Prosecuting Attorney